

Mike Hennigan

From: Ombudsperson
Sent: Tuesday, November 03, 2015 3:18 PM
To: [REDACTED]
Subject: RE: Re: Regarding Your Inquiry About Filing A Formal Complaint Against TMobile: 14-C00462919 & 14-C00566066

Follow Up Flag: Follow up
Flag Status: Completed

[REDACTED]

Thank you for contacting the FCC's Open Internet Ombudsperson.

I have spoken with [REDACTED] about your billing and credit report concerns and I expect her to reach out to shortly. Hopefully this issue can be resolved soon. If not, please be in touch.

With regard to your concerns about your provider's unlimited contracts mentioned in your email on 10/29, I am uncertain as to your specific concern. Have you filed an informal complaint about this particular issue? And are you available to discuss it further on the phone with me?

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Thursday, October 29, 2015 4:52 PM
To: Ombudsperson
Subject: Fwd: Re: Regarding Your Inquiry About Filing A Formal Complaint Against TMobile: 14-C00462919 & 14-C00566066

Dear Ombudsperson,

I have a circumstance where T-Mobile has marketed their unlimited serviced and even their "truly unlimited service" which I paid for and did not receive. The details of the matter and factual substantiation of my claims are in the complaint numbers provided. Further T-Mobile erroneously billed, falsely reported to credit reporting agencies, and wrote that they subsequently resolved (removed the error in reporting) but as I found subsequently when I applied for my first mortgage that they are the only negative item on my credit report and that contrary to what they have relayed to myself and the FCC, it (the erroneous reporting to credit agencies) still remains on the report and they indeed erroneously reported it. I have suggested all along that this was done to obfuscate the real issue of their own contractual violations and fraudulent marketing practices. I would like to file a formal complaint if there is no resolution to this. I was a normal, happy, timely paying customer for over a decade until T-Mobile decided to sell "unlimited" contracts that are not actually "unlimited". I have expressed the sentiment in detail to FCC officials and to T-Mobile and some of the evidence is provided but I would like to submit the lawfully collected recordings and other evidence of my claims. My long standing efforts have

fallen on deaf ears and I have been shown little quarter in terms of a fitting resolution and have been repeatedly lied to by this carrier. Further enforcement officials have not produced a resolution. Thank you for your time and consideration.

Respectfully,
[REDACTED]

----- Forwarded Message -----

Subject: Re: Regarding Your Inquiry About Filing A Formal Complaint Against T-Mobile: 14-C00462919 & 14-C00566066

Date: Thu, 29 Oct 2015 15:49:57 -0400

From: [REDACTED]

To: Tracy Bridgham

Ms. Bridgham, I respect your work on this and I know you respect the time I have put into this as well. Where do I stand on this? It is not too much as this point to expect a resolution. Please advise.

Sincerely,
[REDACTED]

On 10/28/2015 05:06 PM, [REDACTED] wrote:

Is there a remedy for this? Can we get together with T-Mobile and see if there is a resolution? Otherwise I feel the need to seek counsel and continue with the formal complaint process immediately.

Thanks for your help.

Respectfully,
[REDACTED]

On 10/22/2015 10:17 PM, [REDACTED] wrote:

Thank you for the email and for all your assistance.

Respectfully,
[REDACTED]

On 10/22/2015 09:23 PM, Tracy Bridgham wrote:

Thank you [REDACTED] I've asked the DC Office of T-Mobile to follow-up and rectify. Thank you for the ping. I will loop back with them now.

Tracy Bridgham, Special Counsel
Market Disputes Resolution Division
Enforcement Bureau
202-418-0967

*** Non-Public; For Internal Use Only ***

From: [REDACTED]
Sent: Thursday, October 22, 2015 2:06 PM
To: Tracy Bridgham
Subject: Re: Regarding Your Inquiry About Filing A Formal Complaint
Against TMobile: 14-C00462919 & 14-C00566066

Ms. Bridgham, is there a resolution to this issue? Please help!

On 10/05/2015 04:01 PM, [REDACTED] wrote:

I will scan in the other document received via mail.

On 10/02/2015 08:32 PM, Tracy Bridgham wrote:

[REDACTED], I am so sorry that I've been unable to get back to you. We've had some archiving issues and I can't locate the history here. If you could send me the last outcome you had from TMobile as to those screen shots, I will reach out to their DC office early next week.

Tracy Bridgham, Special Counsel
Market Disputes Resolution Division
Enforcement Bureau
202-418-0967

From: [REDACTED]
[REDACTED]
Sent: Thursday, September 24, 2015
5:46 PM
To: Tracy Bridgham
Subject: Re: Regarding Your Inquiry
About Filing A Formal Complaint
Against TMobile: 14-C00462919 & 14-
C00566066

Thank you for your help, I am not sure what I would do without government advocates such as yourself. It is quite necessary. I really appreciate the FCC and your role.

Respectfully,
[REDACTED]

On 09/24/2015 05:25 PM, Tracy
Bridgham wrote:

Very sorry to learn of
this [REDACTED]. I will ask our
Enforcement Analyst to

pull out your cases and see about next steps.

From: [REDACTED]
[REDACTED]
[REDACTED]

Sent: Thursday,
September 24, 2015
2:14 PM

To: Tracy Bridgham
Subject: Re: Regarding
Your Inquiry About
Filing A Formal
Complaint Against
T-Mobile: 14-C00462919
& 14-C00566066

T-Mobile insure both of us that the details of this matter had been handled and it still after all this time has been a lie. I applied for a mortgage today and this was what I was told:

[REDACTED]

Honestly I am just trying to figure out if there is any way for us to get a mortgage for you.

The car payment doesn't show up on your credit report at all. Literally nothing is showing up on the credit report besides a T-Mobile Collection from 2013.

Any kind of normal car loan would be showing up.

If we don't have any qualifying credit scores we can't do a mortgage for you.

-Justin

Justin Braun

Mortgage Consultant
NMLSR ID 372400

Wells Fargo Home
Mortgage | 3235
Peachtree Rd Ne |
Atlanta, GA 30305
MAC G0140-040
Tel (770) 238-2910

[Justin.L.Braun@wellsfar
go.com](mailto:Justin.L.Braun@wellsfargo.com)

[www.wfhm.com/justin-
braun](http://www.wfhm.com/justin-braun)

On 02/19/2015 05:05
PM, Tracy Bridgham
wrote:

Will
do,
thank
you.

Sent
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my
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[REDACTED]
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[REDACTED]

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Mike Hennigan

From: Ombudsperson
Sent: Friday, May 06, 2016 12:17 PM
To: [REDACTED]
Subject: RE: Questions

[REDACTED] —
It was good talking with you today. You are welcome to file a rebuttal if you feel that your provider's response was inadequate and you are welcome to upload supporting documentation to support your argument.

As we discussed, the FCC's Open Internet rules prohibit blocking, throttling, and paid prioritization, which the rules define as follows:

47 CFR § 8.5 - No blocking.

- *A person engaged in the provision of broadband Internet access service, insofar as such person is so engaged, shall not block lawful content, applications, services, or non-harmful devices, subject to reasonable network management.*

47 CFR § 8.7 - No throttling.

- *A person engaged in the provision of broadband Internet access service, insofar as such person is so engaged, shall not impair or degrade lawful Internet traffic on the basis of Internet content, application, or service, or use of a non-harmful device, subject to reasonable network management.*

47 CFR § 8.9 - No paid prioritization.

- A person engaged in the provision of broadband Internet access service, insofar as such person is so engaged, shall not engage in paid prioritization.*
- "Paid prioritization" refers to the management of a broadband provider's network to directly or indirectly favor some traffic over other traffic, including through use of techniques such as traffic shaping, prioritization, resource reservation, or other forms of preferential traffic management, either (a) in exchange for consideration (monetary or otherwise) from a third party, or (b) to benefit an affiliated entity.*

The Commission, however, instituted an exception to these three rules for reasonable network management, which the Commission defined as follows:

Reasonable network management exception

- *A network management practice is a practice that has a primarily technical network management justification, but does not include other business practices. A network management practice is reasonable if it is primarily used for and tailored to achieving a legitimate network management purpose, taking into account the particular network architecture and technology of the broadband Internet access service.*

Paragraphs 216 and 217 of the Open Internet Order explain how the reasonable network management (RNM) exception works:

- Para. 216. For a practice to even be considered under this exception, a broadband Internet access service provider must first show that the practice is primarily motivated by a technical network management justification rather than other business justifications. **If a practice is primarily motivated by such another justification, such as a practice that permits different levels of network access for similarly situated users based solely on the particular plan to which the user has subscribed, then that practice will not be considered**

under this exception. The term "particular network architecture and technology" refers to the differences across broadband access platforms of any kind, including cable, fiber, DSL, satellite, unlicensed Wi-Fi, fixed wireless, and mobile wireless.

- Para. 217. As noted above, reasonable network management is an exception to the no-blocking rule, no-throttling rule, and no-unreasonable interference/disadvantage standard, but not to the rule against paid prioritization.⁵⁶⁰ This is because unlike conduct implicating the no-blocking, no-throttling, or no-unreasonable interference/disadvantage standard, paid prioritization is not a network management practice because it does not primarily have a technical network management purpose. When considering whether a practice violates the no-blocking rule, no-throttling rule, or no-unreasonable interference/disadvantage standard, the Commission

If you file a rebuttal, it is most helpful to the Commission and to your provider if you explain specifically how you think our rules have been violated (with citation to the relevant rules and quotation of our rules as appropriate) and how you think the provider's response does not address that violation. You are welcome to upload supporting evidence.

If you file a rebuttal, please send me an email when you do, and I'll look for it in the system and make sure that it is handled properly. If other subscribers to your ISP are having similar issues or concerns, it is helpful to the Commission and your provider to hear from those subscribers as well.

If you have any questions, just let me know.

Best –
Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Wednesday, May 04, 2016 8:18 PM
To: Ombudsperson
Subject: RE: Questions

Hi Michael,

Thank you very much for your response and including SCSi's response as well. You and the FCC have provided the only responses to my complaints addressed to SCSi. The only mail I receive from SCSi are my monthly bills.

In regards to the statement about a shared internet access, that is not how SCSi advertises their connection. During signup back in October 2014, they stated I should see DSL speeds and stated it would be my own personal connection inside my own room; there was no mention of any shared access. I guess all networks, including US cable internet providers, are shared access because they all share resources between the community; maybe this is the loophole that they seek.

Additionally, I find it ridiculous that I am paying \$70 a month for a non-guaranteed Internet service. I have to ask, do I pay them monthly and not have an expectation of internet service? This is not spelled out in their terms of use other than loss of service. I can understand service outage, but I do expect them to fix it eventually.

In regards to them blocking VOIP and Skype like apps, it is in their best interest. They block the common skype like ports in order to generate more revenue via higher tiered internet services or if the customer cannot afford it (lower level

Enlisted members and the 3rd country nationals on island-Jamaicans and Pilipino workers), they steer them to buying SCSi phone cards after undercutting AT&T phone cards.

When I signed up for SCSi DSL unlimited internet, I didn't enter in a business agreement with the Commanding Officer of the Base or the United States Contracting Officer. I entered into a business agreement with SCSi for an expected service at 256kbs as described by Mr. Hux himself in the letter dated 4 Nov 2015 and in regards to ticket #605800 [REDACTED] (see enclosed ticket). Again, thank you and the FCC for forwarding both ticket responses to me.

Thanks for listening Michael and if you want to talk, I am all ears.

Thank you!

Very Respectfully,

[REDACTED]

P.S. I can send you the pdf of my contract with SCSi and the terms of service if you would like; I believe that I did include it with ticket #864878 as well. Also, if you want to take a look at my speed tests, I will include a link and my last spreadsheet from two different speed test websites.

<http://www.speedtest.net/results.php?sh=83961385c6dab3736511947b0c9808ca&ria=0>

From: Ombudsperson [<mailto:Ombudsperson@fcc.gov>]

Sent: Tuesday, May 3, 2016 10:43 PM

To: [REDACTED]

Subject: RE: Questions

[REDACTED]

SCSi responded to your complaint. See the attached response. You should have been able to see this in the complaint system and/or SCSi should have sent it to you directly. If you did not receive a copy from SCSi, let me know.

And if you would like to discuss the response, let me know and we'll schedule a time to talk on the phone.

Best –
Michael

From: [REDACTED]

Sent: Friday, April 22, 2016 8:28 AM

To: Ombudsperson <Ombudsperson@fcc.gov>

Subject: RE: Questions

Good Morning,

I was wondering if you have received a response from SCSi in regards to ticket #864878? I have not heard anything from them in regards to my complaint. I know my ticket was closed out though.

Thank you,

Very Respectfully,

[REDACTED]

From: Ombudsperson@fcc.gov
To: [REDACTED]
Subject: RE: Questions
Date: Thu, 17 Mar 2016 14:21:57 +0000

[REDACTED]

Thank you. I will monitor your complaint and I look forward to discussing it with you when SCSi responds.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Thursday, March 17, 2016 10:12 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: RE: Questions

Good Morning,

I wanted to let you know that I did file a complaint. As requested, the ticket number is 864878.

Thank you again for the information and your help.

Very Respectfully,

[REDACTED]

From: Ombudsperson@fcc.gov
To: [REDACTED]
Subject: RE: Questions
Date: Wed, 16 Mar 2016 19:25:22 +0000

[REDACTED]

I appreciate you providing additional details and I encourage you to file a complaint. In light of your email, I have looked at the SCSI's website and I see that they appear to be offering a number of telecommunications services similar to how a telecommunications provider would market such services.

I would like to have a conversation with you that is informed by SCSI's response to your concerns.

As such, after you file a complaint, please email me the ticket number so that I can watch the complaint in our system and we can schedule a phone call as soon as SCSI's response is submitted.

Thank you.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Tuesday, March 15, 2016 11:18 PM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: RE: Questions

Good Evening,

Thank you for your reply.

I just want to make sure I understand Paragraph 191 correctly before I file a complaint.

In regards to premises operators, they, being premises operators, are such business/establishments that provide internet for their customers like you have stated previously such as coffee shops, bookstores, airlines, private end-user networks (e.g. libraries and universities), and other businesses that acquire broadband Internet access service from a broadband provider to enable patrons to access the Internet from their respective establishments."

Bottom line, I don't see how SCSI could be classified as premises operators given that I pay them directly per month for a hard wired DSL connection to a modem in my room and not a wireless connection in an establishment like Starbucks, Books a Million, the local library, etc.

I have and pay my internet bill directly to SCSI; they provide a direct connection in my bachelors officers' quarters room through a dedicated DSL connection with my DSL modem I purchased directly from them. After reading SCSI's response to my prior complaint, I don't understand why they would say my connection is shared because in their Terms & Conditions that I signed, it states no sharing is allowed. I am the only one that lives in my room and I only use my connection through my DSL modem and its hard wall mounted connection.

Thank you for your time and patience.

Very Respectfully,

[REDACTED]

From: Ombudsperson [mailto:Ombudsperson@fcc.gov]

Sent: Tuesday, March 15, 2016 1:29 PM

To: [REDACTED]

Subject: RE: Questions

[REDACTED]

Thank you for contacting the FCC's Open Internet Ombudsperson. Below you raise concerns about the policies of your satellite-based provider, SCSi, as applied to your Internet access on the U.S. Naval Base in Guantanamo Bay, Cuba.

If you have not already filed a complaint on this subject with our Consumer Help Center, you are welcome to do so. If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

If you file a complaint, we will serve your complaint on SCSi and SCSi will be required to respond to you in writing within 30 days.

Regarding the particular questions that you asked below, it appears that you filed a complaint - #605800 – in October 2015 and SCSi responded to your concerns at that time. See attached response dated Nov. 4, 2015. Our Open Internet rules apply to all providers of broadband internet access service (BIAS), regardless of the technology used. See paragraph 188 of the Open Internet Order (pdf attached and relevant text pasted below. That is, our rules apply to satellite-based BIAS providers. The FCC's Open Internet Order, however, includes an exception for premises operators when the premises operator is the BIAS subscriber and Internet access is then distributed to other users. See paragraph 191 of the Order and the text pasted below. Without knowing all of the facts and circumstances present in your situation, it is difficult to say whether the premises exception applies. If you file a complaint with us, you are welcome to raise this issue with SCSi in your complaint. If you file a complaint and SCSi's response is not satisfactory to you, you are welcome to let me know and we can discuss the matter further.

Thank you again for your inquiry.

- Paragraph 188. "Broadband Internet access service" continues to include services provided over any technology platform, including but not limited to wire, terrestrial wireless (including fixed and mobile wireless services using licensed or unlicensed spectrum), and **satellite**.

- Paragraph 191. We again decline to apply the open Internet rules to premises operators —such as coffee shops, bookstores, airlines, private end-user networks (e.g. libraries and universities), and other businesses that acquire broadband Internet access service from a broadband provider to enable patrons to access the Internet from their respective establishments—to the extent they may be offering broadband Internet access service as we define it today. We find, as we did in 2010, that a premises operator that purchases BIAS is an end user and that these services “are typically offered by the premise operator as an ancillary benefit to patrons.” Further, applying the open Internet rules to the provision of broadband service by premises operators would have a dampening effect on these entities’ ability and incentive to offer these services. As such, we do not apply the open Internet rules adopted today to premises operators. The record evinces no significant disagreement with this analysis.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Saturday, March 12, 2016 9:38 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Questions

Good Morning,

I am currently stationed on the Guantanamo Bay, Cuba Naval base. Does my local ISP here (satellite based provider SCSi, headquarters in Virginia Beach, VA) have to abide by the open internet rules being a:

1. satellite based ISP provider
2. and not being physically located in the United States (but subject to US government laws)?

Specific actions my ISP has taken:

1. They specifically block all VOIP and video (skype, etc.) associated ports unless you purchase their tiered service.
2. They throttle speeds back (for 24 hours) from my normal 60 to 80k speeds down to 10k or below if I reach the 1 gigabyte threshold in a day; sometimes, I don’t even approach this and it is still throttled.

My plan is the DSL unlimited downloads as seen on the attached pdf.

CONUS HQ:

Satellite Communication Systems, Inc.

5741 Cleveland Street, Suite 300
Virginia Beach, VA 23462
ph: (757) 723-0835
fax:(757) 497-8169
e-mail: ernie@sat-tel.com

› **Teleport Facility**

4480 NW, 128th Street
Opa-Locka, FL 33054
ph: (305) 687-0373
fax:(305) 687-0374

address <http://www.sat-tel.com/>

Local SCSI: <http://www.nsgtmo.com/contact.htm>

Their latest acceptable policy as indicated on their website: <http://www.nsgtmo.com/acceptableusepolicy.htm>

Thank you for your time!

Very Respectfully,

[Redacted]

[Redacted]

[Redacted]



Mike Hennigan

From: Ombudsperson
Sent: Thursday, November 12, 2015 9:43 AM
To: [REDACTED]
Subject: RE: RE: Whitelist Request for IP Address 108.61.203.195

[REDACTED]:

Thank you for contacting the Open Internet Ombudsperson. I'd like to discuss this with you soon.

Are you available for a call today to discuss this? Perhaps at 12 noon or 3:00 pm? If neither time works for you, please suggest some other times.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Wednesday, November 11, 2015 8:33 AM
To: whitelist@verizononline.net; Ombudsperson ; abuse@graftoil.com
Cc: [REDACTED]
Subject: RE: RE: Whitelist Request for IP Address 108.61.203.195

There has still been nothing done about this. We need to get these emails through. It has been over 48 hours and still no response.

From: [REDACTED]
Sent: Tuesday, November 10, 2015 8:21 AM
To: 'whitelist@verizononline.net'; 'ombudsperson@fcc.gov'; (b) (6); [REDACTED]
Cc: [REDACTED]
Subject: RE: Whitelist Request for IP (b) (6)
Importance: High

Hello,

There is no way we are on a black list as we have checked from mxtoolbox.com and the IP address we have received from our VPS provider is not a dynamic IP address. You need to re-verify on your end.

We have completed everything necessary. The Verizon network right now is the only one we are having problems with as the other ISP have whitelisted our mail server IP address.

I have attached a screenshot of our VPS panel to show the IP address is use. This is still causing business communication flow problems and causing more work to get the information we need to the users on your network.

We have tried on numerous occasions to get this whitelisted on Verizon's network with no avail.

Also, I tried to send an email to whitelist@verizononline.net from our [REDACTED] email and cannot send to them because they say:

Mon
5E7731AA6D475697 Nov 9 (b) (6)
17:04:17

host
outbound.bizmailsrvcs.net[206.46.2
refused to talk to me: 550-Email fro
108.61.203.195 is currently blocked
Verizon Online's 550-anti-spam sys
The email sender or Email Service
Provider may visit 550
<http://www.verizon.net/whitelist> and
request removal of the block. 15111

This is ridiculous that we have to do this to get legitimate email through to our customers.

Please advise

On Monday, November 9, 2015 16:00 EST, whitelist@verizononline.net wrote:

- >
- > After investigation, Verizon Online Security has determined that e-mail from your IP address will not be allowed access to the Verizon Online e-mail domain due to one or more of the following reasons:
- >
- > Your IP has been blocked because of spam issues or because your ISP indicates that it is dynamically assigned
- >
- >
- > Once you have addressed any security-related issues on your network, you should contact Verizon Online Security via this form. At that time, we will work with you to restore normal e-mail traffic or to take other action as we deem appropriate.
- >
- > Sincerely,
- >
- > Verizon Online Security
- > <http://www2.verizon.net/policies>
- > abuse@verizon.net
- >
- >

-----Original Message-----

From: (b) (6)
Sent: Monday, March 02, 2015 10:03 AM
To: [REDACTED]
Subject: Fwd: RE: Whitelist Request for IP Address 108.61.203.195

----- Original Message -----

Subject: RE: Whitelist Request for IP Address 108.61.203.195

Date: Monday, March 2, 2015 10:00 EST

From: whitelist@verizononline.net

To: abuse@graftoil.com

After investigation, Verizon Online Security has determined that e-mail from your IP address will not be allowed access to the Verizon Online e-mail domain due to one or more of the following reasons:

Your IP has been blocked because of spam issues or because your ISP indicates that it is dynamically assigned

Once you have addressed any security-related issues on your network, you should contact Verizon Online Security via this form. At that time, we will work with you to restore normal e-mail traffic or to take other action as we deem appropriate.

Sincerely,

Verizon Online Security

<http://www2.verizon.net/policies>

abuse@verizon.net

----- Original Message -----

Subject: RE: Whitelist Request for IP Address 108.61.203.195

Date: Friday, February 27, 2015 14:00 EST

From: whitelist@verizononline.net

To: (b) (6)

After investigation, Verizon Online Security has determined that e-mail from your IP address will not be allowed access to the Verizon Online e-mail domain due to one or more of the following reasons:

Your IP has been blocked because of spam issues or because your ISP indicates that it is dynamically assigned

Once you have addressed any security-related issues on your network, you should contact Verizon Online Security via this form. At that time, we will work with you to restore normal e-mail traffic or to take other action as we deem appropriate.

Sincerely,


Verizon Online Security

<http://www2.verizon.net/policies>

abuse@verizon.net

██████████
Senior Technology Consultant
Kisiel & Associates, pc

██████████
Connellsville, PA 15425

██████████
████████████████████
 please keep this email paperless



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Mike Hennigan

From: [REDACTED]
Sent: Wednesday, May 04, 2016 8:18 PM
To: Ombudsperson
Subject: RE: Questions
Attachments: Speed of Me Data Set May 4 2016.xlsx; Ticket_605800 Trotter.docx

Follow Up Flag: Follow up
Flag Status: Completed

Hi Michael,

Thank you very much for your response and including SCSI's response as well. You and the FCC have provided the only responses to my complaints addressed to SCSI. The only mail I receive from SCSI are my monthly bills.

In regards to the statement about a shared internet access, that is not how SCSI advertises their connection. During signup back in October 2014, they stated I should see DSL speeds and stated it would be my own personal connection inside my own room; there was no mention of any shared access. I guess all networks, including US cable internet providers, are shared access because they all share resources between the community; maybe this is the loophole that they seek.

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Thanks for listening Michael and if you want to talk, I am all ears.

Thank you!

Very Respectfully,

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P.S. I can send you the pdf of my contract with SCSI and the terms of service if you would like; I believe that I did include it with ticket #864878 as well. Also, if you want to take a look at my speed tests, I will include a link and my last spreadsheet from two different speed test websites.

<http://www.speedtest.net/results.php?sh=83961385c6dab3736511947b0c9808ca&ria=0>

From: Ombudsperson [mailto:Ombudsperson@fcc.gov]

Sent: Tuesday, May 3, 2016 10:43 PM

To: [REDACTED]

Subject: RE: Questions

[REDACTED]

SCSI responded to your complaint. See the attached response. You should have been able to see this in the complaint system and/or SCSI should have sent it to you directly. If you did not receive a copy from SCSI, let me know.

And if you would like to discuss the response, let me know and we'll schedule a time to talk on the phone.

Best –
Michael

From: [REDACTED]

Sent: Friday, April 22, 2016 8:28 AM

To: Ombudsperson <Ombudsperson@fcc.gov>

Subject: RE: Questions

Good Morning,

I was wondering if you have received a response from SCSI in regards to ticket #864878? I have not heard anything from them in regards to my complaint. I know my ticket was closed out though.

Thank you,

Very Respectfully,

[REDACTED]

From: Ombudsperson@fcc.gov

To: [REDACTED]

Subject: RE: Questions

Date: Thu, 17 Mar 2016 14:21:57 +0000

[REDACTED]

Thank you. I will monitor your complaint and I look forward to discussing it with you when SCSI responds.

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To: Ombudsperson <Ombudsperson@fcc.gov>
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[REDACTED]

From: Ombudsperson@fcc.gov
To: [REDACTED]
Subject: RE: Questions
Date: Wed, 16 Mar 2016 19:25:22 +0000
[REDACTED] -

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I would like to have a conversation with you that is informed by SCSJ's response to your concerns.

As such, after you file a complaint, please email me the ticket number so that I can watch the complaint in our system and we can schedule a phone call as soon as SCSJ's response is submitted.

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Thank you for your time and patience.

Very Respectfully,

[REDACTED]

From: Ombudsperson [<mailto:Ombudsperson@fcc.gov>]
Sent: Tuesday, March 15, 2016 1:29 PM
To: [REDACTED]
Subject: RE: Questions

[REDACTED]

Thank you for contacting the FCC's Open Internet Ombudsperson. Below you raise concerns about the policies of your satellite-based provider, SCSi, as applied to your Internet access on the U.S. Naval Base in Guantanamo Bay, Cuba.

If you have not already filed a complaint on this subject with our Consumer Help Center, you are welcome to do so. If you would like to file a complaint, you can use the below link and select "Open Internet" as the

"Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

If you file a complaint, we will serve your complaint on SCSi and SCSi will be required to respond to you in writing within 30 days.

Regarding the particular questions that you asked below, it appears that you filed a complaint - #605800 – in October 2015 and SCSi responded to your concerns at that time. See attached response dated Nov. 4, 2015. Our Open Internet rules apply to all providers of broadband internet access service (BIAS), regardless of the technology used. See paragraph 188 of the Open Internet Order (pdf attached and relevant text pasted below). That is, our rules apply to satellite-based BIAS providers. The FCC's Open Internet Order, however, includes an exception for premises operators when the premises operator is the BIAS subscriber and Internet access is then distributed to other users. See paragraph 191 of the Order and the text pasted below. Without knowing all of the facts and circumstances present in your situation, it is difficult to say whether the premises exception applies. If you file a complaint with us, you are welcome to raise this issue with SCSi in your complaint. If you file a complaint and SCSi's response is not satisfactory to you, you are welcome to let me know and we can discuss the matter further.

Thank you again for your inquiry.

- Paragraph 188. "Broadband Internet access service" continues to include services provided over any technology platform, including but not limited to wire, terrestrial wireless (including fixed and mobile wireless services using licensed or unlicensed spectrum), and **satellite**.
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| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Saturday, March 12, 2016 9:38 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Questions

Good Morning,

I am currently stationed on the Guantanamo Bay, Cuba Naval base. Does my local ISP here (satellite based provider SCSi, headquarters in Virginia Beach, VA) have to abide by the open internet rules being a:

1. satellite based ISP provider

2. and not being physically located in the United States (but subject to US government laws)?

Specific actions my ISP has taken:

1. They specifically block all VOIP and video (skype, etc.) associated ports unless you purchase their tiered service.
2. They throttle speeds back (for 24 hours) from my normal 60 to 80k speeds down to 10k or below if I reach the 1 gigabyte threshold in a day; sometimes, I don't even approach this and it is still throttled.

My plan is the DSL unlimited downloads as seen on the attached pdf.

CONUS HQ:

Satellite Communication Systems, Inc.

5741 Cleveland Street, Suite 300

Virginia Beach, VA 23462

ph: (757) 723-0835

fax:(757) 497-8169

e-mail: ernic@sat-tel.com

➤ **Teleport Facility**

4480 NW, 128th Street

Opa-Locka, FL 33054

ph: (305) 687-0373

fax:(305) 687-0374

address <http://www.sat-tel.com/>

Local SCSI: <http://www.nsgtmo.com/contact.htm>

Their latest acceptable policy as indicated on their website: <http://www.nsgtmo.com/acceptableusepolicy.htm>

Thank you for your time!

Very Respectfully,

[Redacted]

[Redacted]

[Redacted]



Mike Hennigan

From: Ombudsperson
Sent: Thursday, May 05, 2016 9:03 PM
To: [REDACTED]
Subject: RE: Questions

[REDACTED] – You can reach me at (202) 418-1155. I'll look for you call at 11 am tomorrow. If we have to reschedule tomorrow, that's fine. I have some other blocks of time available on Friday.

From: Chaz [mailto:chazt777@hotmail.com]
Sent: Thursday, May 05, 2016 7:32 PM
To: Ombudsperson
Subject: RE: Questions

Hi Michael,

That time should be good barring any unscheduled surgeries tomorrow. If one does occur, I will try to contact you asap.

What is a good number to dial you?

From: Ombudsperson [mailto:Ombudsperson@fcc.gov]
Sent: Wednesday, May 4, 2016 10:54 PM
To: [REDACTED]
Subject: RE: Questions

[REDACTED] –

Can we talk at 11 am eastern time on Friday? If that time won't work on Friday, please let me know some alternatives on that day.

Best –
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Thanks for listening Michael and if you want to talk, I am all ears.

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P.S. I can send you the pdf of my contract with SCSi and the terms of service if you would like; I believe that I did include it with ticket #864878 as well. Also, if you want to take a look at my speed tests, I will include a link and my last spreadsheet from two different speed test websites.

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Subject: RE: Questions

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Thank you, I will monitor your complaint and I look forward to discussing it with you when SCSi responds.

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Sent: Tuesday, March 15, 2016 1:29 PM

To: [REDACTED]

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Satellite Communication Systems, Inc.
5741 Cleveland Street, Suite 300
Virginia Beach, VA 23462
ph: (757) 723-0835
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↳ **Teleport Facility**

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Local SCSI: <http://www.nsgtmo.com/contact.htm>

Their latest acceptable policy as indicated on their website: <http://www.nsgtmo.com/acceptableusepolicy.htm>

Thank you for your time!

Very Respectfully,

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[Redacted]



Mike Hennigan

From: [REDACTED]
Sent: Thursday, May 05, 2016 7:32 PM
To: Ombudsperson
Subject: RE: Questions

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Flag Status: Completed

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Subject: RE: Questions

[REDACTED] –

Thank you for contacting the FCC's Open Internet Ombudsperson. Below you raise concerns about the policies of your satellite-based provider, SCSi, as applied to your Internet access on the U.S. Naval Base in Guantanamo Bay, Cuba.

If you have not already filed a complaint on this subject with our Consumer Help Center, you are welcome to do so. If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

If you file a complaint, we will serve your complaint on SCSi and SCSi will be required to respond to you in writing within 30 days.

Regarding the particular questions that you asked below, it appears that you filed a complaint - #605800 – in October 2015 and SCSi responded to your concerns at that time. See attached response dated Nov. 4, 2015. Our Open Internet rules apply to all providers of broadband internet access service (BIAS), regardless of the technology used. See paragraph 188 of the Open Internet Order (pdf attached and relevant text pasted below). That is, our rules apply to satellite-based BIAS providers. The FCC's Open Internet Order, however, includes an exception for premises operators when the premises operator is the BIAS subscriber and Internet access is then distributed to other users. See paragraph 191 of the Order and the text pasted below. Without knowing all of the facts and circumstances present in your situation, it is difficult to say whether the premises exception applies. If you file a complaint with us, you are welcome to raise this issue with SCSi in your complaint. If you file a complaint and SCSi's response is not satisfactory to you, you are welcome to let me know and we can discuss the matter further.

Thank you again for your inquiry.

- Paragraph 188. "Broadband Internet access service" continues to include services provided over any technology platform, including but not limited to wire, terrestrial wireless (including fixed and mobile wireless services using licensed or unlicensed spectrum), and **satellite**.

- Paragraph 191. We again decline to apply the open Internet rules to premises operators —such as coffee shops, bookstores, airlines, private end-user networks (e.g. libraries and universities), and other businesses that acquire broadband Internet access service from a broadband provider to enable patrons to access the Internet from their respective establishments—to the extent they may be offering broadband Internet access service as we define it today. We find, as we did in 2010, that a premises operator that purchases BIAS is an end user and that these services “are typically offered by the premise operator as an ancillary benefit to patrons.” Further, applying the open Internet rules to the provision of broadband service by premises operators would have a dampening effect on these entities’ ability and incentive to offer these services. As such, we do not apply the open Internet rules adopted today to premises operators. The record evinces no significant disagreement with this analysis.

| FCC Open Internet Ombudsperson| ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Saturday, March 12, 2016 9:38 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Questions

Good Morning,

I am currently stationed on the Guantanamo Bay, Cuba Naval base. Does my local ISP here (satellite based provider SCSI, headquarters in Virginia Beach, VA) have to abide by the open internet rules being a:

1. satellite based ISP provider
2. and not being physically located in the United States (but subject to US government laws)?

Specific actions my ISP has taken:

1. They specifically block all VOIP and video (skype, etc.) associated ports unless you purchase their tiered service.
2. They throttle speeds back (for 24 hours) from my normal 60 to 80k speeds down to 10k or below if I reach the 1 gigabyte threshold in a day; sometimes, I don’t even approach this and it is still throttled.

My plan is the DSL unlimited downloads as seen on the attached pdf.

CONUS HQ:

Satellite Communication Systems, Inc.

5741 Cleveland Street, Suite 300

Virginia Beach, VA 23462

ph: (757) 723-0835

fax:(757) 497-8169

e-mail: ernie@sat-tel.com

✦ **Teleport Facility**

4480 NW, 128th Street

Opa-Locka, FL 33054

ph: (305) 687-0373

fax:(305) 687-0374

address <http://www.sat-tel.com/>

Local SCSI: <http://www.nsgtmo.com/contact.htm>

Their latest acceptable policy as indicated on their website: <http://www.nsgtmo.com/acceptableusepolicy.htm>

Thank you for your time!

Very Respectfully,

[Redacted]

[Redacted]

[Redacted]



Mike Hennigan

From: Ombudsperson
Sent: Friday, January 08, 2016 3:51 PM
To: [REDACTED]
Subject: RE: Question regarding the blocking of the tethering capability of a cell phone
Attachments: FCC-15-24A1_Open_Internet_Order.pdf

[REDACTED]

Thank you for contacting the Federal Communication Commission's Open Internet Ombudsperson. The concern that you raised, involving Straight Talk's policies regarding tethering, may relate to the Open Internet. Accordingly, I encourage you to file a complaint through our Consumer Help Center.

If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Or you may contact the Consumer Help Center at (888) 225-5322 to file your complaint. If you file a complaint, Straight Talk will be required to respond to you in writing in thirty days. If you file a complaint and your provider's response is not satisfactory to you, let me know.

Regarding the question you raised about tethering, the Commission's Open Internet order (attached) did not address tethering in detail.

Also of interest may be the following consumer guide:
<https://consumercomplaints.fcc.gov/hc/en-us/articles/204231404-Open-Internet>

Thank you again.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Wednesday, December 30, 2015 3:28 PM
To: Ombudsperson
Subject: Question regarding the blocking of the tethering capability of a cell phone

I recently obtained a cellular service plan for my iPhone which includes data services.

The service provider is Straight Talk, an MVNO. Straight Talk buries the fact that "tethering" is not allowed on their virtual network in the fine print of its "terms & conditions" and they block that specific capability of the iPhone by not provisioning it.

Straight Talk asserts that the "data" may only be used by the phone and not by a device tethered to it.

Straight Talk WILL provide a Hotspot device and service plan at an additional cost.

Is the blocking of the iPhone's native "tethering" capability a violation of the Open Internet regulations? Given the fact that the virtual network supports data services to hotspot devices but Straight Talk requires the purchase of their device and an additional service plan.

Regards,

[REDACTED]

Mike Hennigan

From: Ombudsperson
Sent: Thursday, April 21, 2016 5:48 PM
To: [REDACTED]
Subject: RE: Question re: At&t Fw: Updates to Internet usage allowances

Follow Up Flag: Follow up
Flag Status: Completed

Hello [REDACTED].

Thank you for your email. Your inquiry appears to relate to an Open Internet complaint. If you have not already done so, please file your complaint online.

You can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint:
https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Also of interest may be the following consumer guide:
<https://consumercomplaints.fcc.gov/hc/en-us/articles/204231404-Open-Internet>

From: [REDACTED]
Sent: Sunday, April 17, 2016 4:46 PM
To: Ombudsperson
Subject: Question re: At&t Fw: Updates to Internet usage allowances

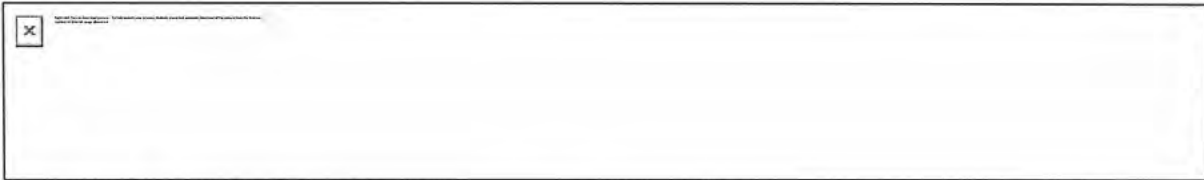
I have forwarded the email below regarding At&t capping home internet usage. I currently pay 46.00 monthly for home internet for my laptop and have no other devices. The notice shows a \$10 per month overage fee unless an additional \$30 fee for unlimited is purchased. At&t claims in May they are upping all the caps, and they say mine is going up to 250 GB.

I am wondering how this can be legal, as pop ups and ads, as well as the nonsense Windows 10... sends to your computer uses up data? Again, I do not have a television or any other devices, so I do most everything on the internet. I am currently on one of the lowest plans due to budget constraints, but I will be expected to pay 76.00 per month for basic Uverse internet service. This just is not fair, especially for those of us who are not IT people, and are not well versed in "tech language"...

[REDACTED]

"The truth is the truth even if nobody believes it, and a lie is still a lie, even if everybody believes it."
A.B. Fulton Sheen

----- Forwarded Message -----
From: AT&T U-verse Team <noreply@e.online.att-mail.com>
To: [REDACTED]
Sent: Wednesday, April 6, 2016 3:11 PM
Subject: Updates to Internet usage allowances



Dear [REDACTED]

Beginning on May 23, 2016 we will be increasing the U-verse® Internet data allowance for many customers. After a grace period, and as our agreement provides, there's a \$10 charge for each 50GB of data you use over the allowance amount. If you choose to bundle your U-verse Internet with DIRECTV® or U-verse TV you will be provided an unlimited Internet data allowance with a \$30 value at no additional charge, as a benefit of bundling. Or if you choose, an unlimited allowance is available for purchase as an optional bolt-on to your Internet service.

After May 23, 2016 log in to your account at att.com/myatt to find helpful tools to view your data usage. Questions? Go to att.com/internet-usage.

Thank you for being a loyal U-verse customer,

AT&T

Broadband usage questions? [Visit att.com/internet-usage](http://att.com/internet-usage)

Please use the contact information above for questions regarding this message or go to att.com/contactus for more options. This is an automated email so replies to the address will not be answered.

[Privacy Policy](#) | [Terms of Service - Internet](#)

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IPUBACFA.v1

Mike Hennigan

From: Ombudsperson
Sent: Friday, August 05, 2016 5:30 PM
To: [REDACTED]
Subject: RE: Question about ISP's new practice
Attachments: FCC-15-24A1_Open_Internet_Order.pdf

[REDACTED]

Thank you for contacting the FCC's Open Internet Ombudsperson. I understand that you are concerned about ISP modifying webpages to include their own advertisements. I am not personally familiar with this issue. As you probably know, the FCC's Open Internet apply directly to the telecommunications service provided by the ISPs. Issues with false advertising, for example, are handled by the FTC.

That being said, if you are concerned that this practice violates our rules, you are welcome to file an informal complaint with the FCC's Consumer Help Center. If you file an informal complaint, we will serve the complaint on WideOpenWest and WideOpenWest will be legally required to respond to you and us in writing within 30 days. Once WideOpenWest responds to you, I can discuss the response with you and additional steps you may take.

If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

When filing a complaint, you should specifically describe your concerns, clearly reference the rule that you think may have been violated, and precisely explain why you think a violation of that rule may have occurred, with quotation of the rule as appropriate.

For your reference, I attach the Open Internet Order, which the Commission adopted in February 2015.

Thank you.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

-----Original Message-----

From: [REDACTED]
Sent: Wednesday, August 03, 2016 4:20 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Question about ISP's new practice

My ISP has recently announced it is going to replace ads served in web pages with their own location-based ads. This sounds like it should not be allowed as the ISP is actively changing the content a web server is sending. Is there any precedent for this kind of thing being disallowed? Below is the text of the email WideOpenWest recently sent out. Note the explicit claim that these ads are replacing ads that should have been included by the website serving the webpages, denying them ad revenue that allows the content I want to access to be free to me.

Thanks,

Dear Valued WOW! Customer,

We will soon be launching a new location-based advertising service for our Internet customers. Location-based ads are displayed based on the zip code location of your Internet modem. For example, if a local restaurant wants to offer coupons to customers who live in a certain zip code area, location-based advertising allows them to display their online ads only to Internet customers who actually live in that zip code.

At WOW!, we take your privacy seriously. Your personal information is completely safe and at no time does an advertiser ever know which customers receive their ads online. To learn more about location-based advertising click here <<http://t.wowwayinfo.com/a/7682/b/106342/c/387680/d/1/e/4/u/601815683>>.

If you would like to opt-out of the service, visit [wowway.net](http://www.wowway.net)

<<http://t.wowwayinfo.com/a/7682/b/106342/c/387680/d/2/e/5/u/601815683>> and log in to manage your preferences. Please note that location-based ads are NOT in addition to the online ads you already see; they simply replace ads that that would otherwise appear on your screen.

As always, we thank you for your cooperation and for the opportunity to serve you.

Mike Hennigan

From: Ombudsperson
Sent: Monday, September 19, 2016 3:19 PM
To: [REDACTED]
Subject: RE: Provider response - 1145654

Hi [REDACTED] – I checked the system and your rebuttal is there. The staff that review the rebuttals will look at it soon and process it. Thanks.

From: [REDACTED]
Sent: Monday, September 19, 2016 2:44 PM
To: Ombudsperson
Subject: RE: Provider response - 1145654

Hi Michael – I am not sure if I filed that in the right spot. But I did log in and type up a small rebuttal. Is there any way you can check to see if I put that in the right spot? I didn't really see any other place that would be appropriate to submit this at.

Thank you!

[REDACTED]

From: Ombudsperson [<mailto:Ombudsperson@fcc.gov>]
Sent: Monday, September 19, 2016 1:13 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Provider response - 1145654

[REDACTED] –

Your complaint ticket (1145654) is open in our system, so you should be able to file a rebuttal if you log in to your ticket on the our consumer complaint webpage (consumercomplaints.fcc.gov). To file a rebuttal, you can use the text that you provided below and post that as your rebuttal.

When doing so, you should specify that you are filing a "rebuttal" because you view the provider's response as inadequate. And as much as you can, it helps if you specify precisely how you see your provider's response as not addressing your concerns.

If you have any additional questions, please let me know.

Michael

From: [REDACTED]
Sent: Monday, September 19, 2016 12:07 PM
To: Ombudsperson <Ombudsperson@fcc.gov>

Cc: [REDACTED]
Subject: RE: Provider response - 1145654

Thank you for sending this response to me. I have not yet received anything from Frontier Communications in response. I am interested in a rebuttal to them.

Their technician that came out, tested all of our stuff, it tested fine. The problem lies in the fact that Frontier Communications oversold our internet in our area and now refuses to do anything about it. Per their response they have no specific plans to upgrade our area. So to that I say, then why are we still paying the same amount of money for internet service that they oversold on us? They chose to continue selling poor internet to the people in our area knowing that they had no intentions of upgrading out here to make sure that all of its' customers are receiving the internet they are paying for.

Secondly, they did offer for me to switch to satellite internet. However, that internet has data caps. About 90% of the data can only be used between the time frame of 2 am – 8 am. For example, their cheapest plan is \$49.99+ tax. With that plan you get 55 GB. However, you can only use 5 of those GB anytime. The remaining 50GB can only be use from 2-8 am. That is not suitable for most families. Then satellite internet you have to rely on good weather so it is not knocked out. This is in NO way a comparable internet to what I am already paying for. You can't even compare the two to each other so I do not feel that is an acceptable substitution.

Frontier has failed every one of its customers; by overcharging its customers for poor service. This is the only product/service I can think of that they can continue to charge you the same amount of money, yet continue to downgrade you. It feels like it is stealing from us. I don't think in the year 2016, this should be allowed.

I truly hope the FCC takes a serious look into the business practices of Frontier in our community. If Frontier cannot provide the service we pay for, then we should be allowed a discounted rate. I feel they choose not to upgrade our area because they know we have no other place to go for internet. Unless you take the satellite internet and use it mainly during 2-8 am!

Thank you for your time!

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: Ombudsperson [mailto:Ombudsperson@fcc.gov]
Sent: Monday, September 19, 2016 10:29 AM
To: [REDACTED]
Subject: Provider response - 1145654

Attached.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: Ombudsperson
Sent: Monday, September 19, 2016 2:13 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Provider response - 1145654

[REDACTED] –

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If you have any additional questions, please let me know.

Michael

From: [REDACTED]
Sent: Monday, September 19, 2016 12:07 PM
To: Ombudsperson
Cc: [REDACTED]
Subject: RE: Provider response - 1145654

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I truly hope the FCC takes a serious look into the business practices of Frontier in our community. If Frontier cannot provide the service we pay for, then we should be allowed a discounted rate. I feel they choose not to upgrade our area because they know we have no other place to go for internet. Unless you take the satellite internet and use it mainly during 2-8 am!

Thank you for your time!

(b) (6)

Marion, WI 54950

(b) (6)

From: Ombudsperson [<mailto:Ombudsperson@fcc.gov>]

Sent: Monday, September 19, 2016 10:29 AM

To: [REDACTED]

Subject: Provider response - 1145654

Attached.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: [REDACTED]
Sent: Monday, September 19, 2016 2:44 PM
To: Ombudsperson
Subject: RE: Provider response - 1145654

Follow Up Flag: Follow up
Flag Status: Completed

Hi Michael – I am not sure if I filed that in the right spot. But I did log in and type up a small rebuttal. Is there any way you can check to see if I put that in the right spot? I didn't really see any other place that would be appropriate to submit this at.

Thank you!

From: Ombudsperson [mailto:Ombudsperson@fcc.gov]
Sent: Monday, September 19, 2016 1:13 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Provider response - 1145654

[REDACTED] –

Your complaint ticket (1145654) is open in our system, so you should be able to file a rebuttal if you log in to your ticket on the our consumer complaint webpage (consumercomplaints.fcc.gov). To file a rebuttal, you can use the text that you provided below and post that as your rebuttal.

When doing so, you should specify that you are filing a "rebuttal" because you view the provider's response as inadequate. And as much as you can, it helps if you specify precisely how you see your provider's response as not addressing your concerns.

If you have any additional questions, please let me know.

Michael

From: [REDACTED]
Sent: Monday, September 19, 2016 12:07 PM
To: Ombudsperson <Ombudsperson@fcc.gov>
Cc: [REDACTED]
Subject: RE: Provider response - 1145654

Thank you for sending this response to me. I have not yet received anything from Frontier Communications in response. I am interested in a rebuttal to them.

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Frontier has failed every one of its customers; by overcharging its customers for poor service. This is the only product/service I can think of that they can continue to charge you the same amount of money, yet continue to downgrade you. It feels like it is stealing from us. I don't think in the year 2016, this should be allowed.

I truly hope the FCC takes a serious look into the business practices of Frontier in our community. If Frontier cannot provide the service we pay for, then we should be allowed a discounted rate. I feel they choose not to upgrade our area because they know we have no other place to go for internet. Unless you take the satellite internet and use it mainly during 2-8 am!

Thank you for your time!

(b) (6)
[REDACTED]
Marion, WI 54950
(b) (6)
[REDACTED]

[REDACTED] Ombudsperson [<mailto:Ombudsperson@fcc.gov>]
Sent: Monday, September 19, 2016 10:29 AM
To: [REDACTED]
Subject: Provider response - 1145654

Attached.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: [REDACTED]
Sent: Wednesday, January 25, 2017 11:11 AM
To: Ombudsperson
Subject: Re: Process for requesting mediation
Attachments: Case No. 16 SC 3230.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Mr. Janson:

Let me first start by saying thank you, again, for calling me and being so generous with your time when we spoke last month. Additionally, I appreciate the time you took to email me as promptly as you did. After consideration, I decided to pursue litigation instead of the staff-assisted mediation with the Market Disputes Resolution Division. I felt as though I had a significant amount of time already invested in this and gave Comcast ample opportunities to resolve the issue fully without the need for costly litigation. A copy of the complaint, as it was filed in Winnebago County, Illinois and served upon Comcast's registered agent, is attached for your review. With regard to number 13 of the complaint, would I find any violation in the Open Internet Order or in some other act? Specifically, I am looking for any damages that may be recoverable. I understand the FCC has the power to assess penalties and fines on providers as they deem necessary, but I am curious if there are any damages that consumers are entitled to when a provider is in violation of an act or order. While I did not read the Open Internet Order in its entirety, I did read through the paragraphs you noted and did not see this information. Lastly, does the Open Internet Transparency Rule pertain to Internet only? If there is some sort of act or order pertaining to cable TV, I would certainly be interested in that, as well.

Kind regards,

[REDACTED]
[REDACTED]

On Thu, Dec 15, 2016 at 4:15 PM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

[REDACTED] –

Following up on our call yesterday, I understand that you have concerns about whether your provider was transparent about their services, that you've received some relief in the form of a bill credit, and that you are considering taking additional steps to recover additional fees that you feel you are owed.

Our Open Internet rules require broadband providers to disclose accurate information about the services they offer consumers so that consumers can make informed choices about the broadband services that they purchase. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- “A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such

services and for content, application, service, and device providers to develop, market, and maintain Internet offerings.”

For your reference on the transparency rule, I have attached two pdfs to this email: (1) an FCC consumer guide on the transparency rule, and (2) the Open Internet Order, which the Commission adopted in February 2015. See, specifically, paragraphs 23-24, and 154-185 of the Order for discussions of the transparency rule.

As we discussed, staff-assisted mediation of your complaint may be a productive avenue for you to pursue at this juncture and as an alternative to filing a formal complaint either with the Commissions or in small claims court. If you would like to request a staff-assisted mediation, you can do so with our Market Disputes Resolutions Division (MDRD):

- To request FCC staff-assisted mediation, the complaining party can submit a letter to the Chief of the Market Disputes Resolution Division, Christopher Killion, FCC, 445 12th Street SW, Washington, DC 20554, describing the alleged violation of our rules. There is no fee associated with submitting a mediation request. The letter should include the name of the provider, a statement of relevant facts, an explanation of why you think our rules have been broken, and the relief that you are seeking. (In your case, you may want to consider submitting a copy of the complaint that you are considering filing in small claims court.)
- The mediation request will likely be shared with your provider, so it should be a formal letter that makes clear how you think our rules have been violated, *with citation to the relevant rules and quotation of our rules as appropriate*, and what would be an appropriate resolution of this issue in your view. You are welcome to submit supporting evidence.

You can email your mediation request directly to Christopher Killion, the Division Chief of MDRD, at Christopher.Killion@fcc.gov. After you have emailed your request to MDRD, please forward me a copy of the email so that I can make sure that it is handled properly.

If you have any additional questions now or after you’ve been in touch with MDRD about mediation, feel free to be in touch with me.

Best –

Michael

| [FCC Open Internet Ombudsperson](#) | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: communicator@doubleperfect.com
Sent: Saturday, December 19, 2015 12:17 AM
To: Ombudsperson
Subject: Re: Potential violations of the Commission's rules by Verizon Wireless

Follow Up Flag: Follow up
Flag Status: Completed

Thanks for following up with me: I did speak with Rosemary and some other folks from Enforcement earlier this week.

Happy holidays,
[REDACTED]

On Thu, Dec 17, 2015, at 01:43 PM, Ombudsperson wrote:

> [REDACTED]:

>

> It was good talking with you the other day. I understand that some
> FCC staff have reached out to you explain the process for filing a
> formal complaint. If you need anything further in this regard, please
> let me know.

>

>

> | FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202)
> | 418-1155 |

>

>

>

> -----Original Message-----

> From: communicator@doubleperfect.com

> [mailto:communicator@doubleperfect.com]

> Sent: Friday, December 11, 2015 5:36 PM

> To: Michael Janson <Michael.Janson@fcc.gov>; Ombudsperson

> <Ombudsperson@fcc.gov>

> Subject: Re: Potential violations of the Commission's rules by Verizon
> Wireless

>

> First, I apologize for starting off our conversation on an awkward
> footing. I was trying to introduce myself as a member of the general
> public trying to learn but got nervous and bungled the introduction.
> Also, I apologize for speaking with you on a cell phone in an area
> with a weak signal.

>

> Today, I wanted to review my concerns with you and answer any
> questions you might have about the text and exhibits:

>

> <http://www.doubleperfect.com/vzw-complaint/2015-12-01-complaint.pdf>

> <http://www.doubleperfect.com/vzw-complaint/exhibits.zip>

>

> Because attorneys (versed in federal communications law) are
> expensive, I was hoping you could help me understand the procedures
> for filing a formal complaint and representing myself, because the
> common carrier rules in Part 1 and the Open Internet rules in Part 8
> have similar but different procedures.

> http://www.ecfr.gov/cgi-bin/text-idx?node=sg47.1.1_1719.sg25

> <http://www.ecfr.gov/cgi-bin/retrieveECFR?n=pt47.1.8>

> After reading the Part 1 and Part 8 rules, I think I have a vague idea
> of the procedures:

> 1. Pursuant to 47 CFR § 8.13(d), send prefiling notice to the defendant.

> 2. Wait 10 days for the defendant to respond.

> 3. Do I also need to mail a certified letter pursuant to § 1.721(a)(8)?

> 4. Pursuant to §§ 1.8001–1.8004, obtain an FRN.

> 5. Complete Form 485.

> 6. Pursuant to § 8.13(b)(1), go to <http://apps.fcc.gov/ecfs/> then

> Submit a Non-Docketed Filing for the complaint.

> 7. On the same day, pursuant to §§ 1.735(c) and 8.13(b)(2), pay for a

> flight to Verizon headquarters:

> Verizon Wireless

> One Verizon Way

> Basking Ridge, NJ 07920

> or Verizon's registered agent in DC:

> 1015 15th Street NW

> Suite 1000

> Washington, DC

> And hand deliver the complaint. (Do I just knock the door and say I

> want to hand deliver a complaint? . . .)

> <http://apps.fcc.gov/cgb/form499/499detail.cfm?FilerNum=822750>

> 8. Pursuant to § 1.1111, pay the filing fee (\$225).

> What happens next? Do Verizon and I just trade replies on ECFS? How

> does the Commission mediate between Verizon and me (to prevent an

> endless cycle of replies)?

> Let me know if I missed a step or included an extraneous step. (Can I

> just ignore the Part 1 procedures that aren't directly referenced by

> the Part 8 procedures?)

> Again, I appreciate your bearing with me today and look forward to

> discussing the issues in the complaint further.

> Regards,

> [REDACTED]

>
> P.S. Thanks for the pointer to Proceeding 15-259. I'm trying to view
> the Enforcement Order for Proceeding 14-221:
>
> <http://apps.fcc.gov/ecfs/comment/view?id=60001018720>
>
> But I'm getting the error message: "The resource you requested does
> not exist."
>
> P.P.S. As you might guess, I feel more comfortable with e-mail, but
> please don't hesitate to call me again. Today, I wanted to speak with
> you to get your attention and provide extra context and color to
> what's in the text (because sometimes, the voice is mightier than the
> keyboard). I promise that I'll be less awkward next time and that I'll
> be in an area with a better signal. :)
>
> On Fri, Dec 11, 2015, at 11:34 AM, communicator@doubleperfect.com wrote:
>> Sure. I left a message because I hadn't seen this e-mail yet.
>>
>> On Fri, Dec 11, 2015, at 11:27 AM, Michael Janson wrote:
>>> [REDACTED]:
>>>
>>> I am looking forward to speaking with you today but I'm running behind.
>>> Can we push this back 15 minutes so that I can give you a call at 2:45?
>>>
>>>
>>> Original Message
>>> From: Ombudsperson
>>> Sent: Tuesday, December 8, 2015 2:18 PM
>>> To: communicator@doubleperfect.com
>>> Subject: RE: Potential violations of the Commission's rules by
>>> Verizon Wireless
>>>
>>>
>>> [REDACTED]:
>>>
>>> Thank you for the background information and materials. I look
>>> forward to speaking with you on Friday at 2:30 pm eastern time.
>>> You can call me at (202) 418-1155.
>>>
>>>
>>> | FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202)
>>> | 418-1155 |
>>>
>>>
>>> -----Original Message-----
>>> From: communicator@doubleperfect.com
>>> [mailto:communicator@doubleperfect.com]
>>> Sent: Monday, December 07, 2015 11:26 PM
>>> To: Ombudsperson <Ombudsperson@fcc.gov>
>>> Subject: Re: Potential violations of the Commission's rules by

>>> Verizon Wireless

>>>

>>> I filed an informal complaint after the Commission approved the
>>> 2015 Open Internet Order in February but before the rules took
>>> effect in June. It cited 47 CFR § 27.16 and the Commission's 700
>>> MHz Second Report and Order, not the 2015 (or 2010) Open Internet Order.

>>> Verizon responded with a form letter on June 11, the Commission
>>> found the form letter insufficient on July 6, then Verizon sent a
>>> supplemental response that rearranged sentences from the first
>>> form letter. The exhibits archive has responses Verizon sent to me and others:

>>>

>>> <http://www.doubleperfect.com/vzw-complaint/exhibits.zip>

>>> <http://www.doubleperfect.com/vzw-complaint/2015-12-01-complaint.pdf>

>>> f

>>>

>>> 2:30 PM Eastern on Friday (December 11) works for me. Since I'm
>>> closer to Hollywood, I'll call you. Should I call (202) 418-1155 or another number?

>>>

>>> Thanks,

>>> [REDACTED]

>>>

>>> P.S. I hope you can review at least the table of contents of the
>>> main document or the README file in the exhibits archive before Friday.

>>>

>>> On Mon, Dec 7, 2015, at 03:13 PM, Ombudsperson wrote:

>>> [REDACTED]:

>>>>

>>>> Thank you for contacting the Federal Communications Commission's
>>>> Open Internet Ombudsperson. The concern that you raise below
>>>> relates to our Open Internet rules. As such, you should file a
>>>> complaint if you have not done so already.

>>>>

>>>> If you would like to file a complaint, you can use the below
>>>> link and select "Open Internet" as the "Internet issue" for
>>>> which you are filing the complaint:

>>>> https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_

>>>> fo

>>>> rm_i

>>>> d=38824

>>>>

>>>> Or you may contact the Consumer Help Center at (888) 225-5322 to
>>>> file your complaint. If you file a complaint, your provider
>>>> will be required to respond to you in writing in thirty days.

>>>>

>>>> In addition, I would be happy to speak with you later this week.

>>>> Let's plan on 2:30 pm on Friday, December 11th if that still

>>>> works for you. I look forward to speaking with you about your concerns.

>>>>

>>>>

>>>>

>>>>

>>>> | FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202)

>>>> | 418-1155 |

>>>>

>>>>

>>>>

>>>>

>>>>

>>>> -----Original Message-----

>>>> From: communicator@doubleperfect.com

>>>> [mailto:communicator@doubleperfect.com]

>>>> Sent: Monday, December 07, 2015 3:47 AM

>>>> To: Ombudsperson <Ombudsperson@fcc.gov>

>>>> Subject: Potential violations of the Commission's rules by

>>>> Verizon Wireless

>>>>

>>>> Hello, Mr. Janson.

>>>>

>>>> My name is [REDACTED], and I'd like to discuss with you conduct

>>>> by Verizon Wireless that appears to have violated the Commission's rules:

>>>>

>>>> * Verizon blocked Samsung from preloading Samsung Pay on Samsung devices.

>>>> * Even though Verizon claims its certification process takes 4–6
>>>> weeks, the carrier blocked third-party Apple iPhone 6 and 6 Plus
>>>> devices (the same models Verizon sells) for 47 weeks.

>>>> * Similarly, Verizon blocked third-party Motorola Nexus 6
>>>> devices (the same models Verizon sells) for 29 weeks.

>>>> * Verizon removed discounts for (otherwise eligible) customers
>>>> who used devices not purchased from the carrier.

>>>> * Before November 15, if you financed a device through Verizon,
>>>> the carrier waived its "activation fee" but if you brought your
>>>> own device, the carrier charged you \$40.00.

>>>> * Verizon both blamed vague "systems issues" when it had the
>>>> burden of proving reasonable network management and also
>>>> repeated false statements about third-party devices.

>>>>

>>>> I've detailed these issues in the documents linked below. (I
>>>> didn't attach them because they total over 30 MB and some e-mail
>>>> systems choke on large attachments.)

>>>>

>>>> <http://www.doubleperfect.com/vzw-complaint/exhibits.zip>

>>>> <http://www.doubleperfect.com/vzw-complaint/2015-12-01-complaint>.

>>>> pd

>>>> f

>>>>

>>>> The exhibits archive has a README file that concisely lays out
>>>> events and links some documents (including billing statements)
>>>> not linked from the main document.

>>>>

>>>> Can we chat during lunch hours in the West (2:30–4:30 PM Eastern)?

>>>> This week, I'll be available Thursday–Friday (December 10–11);

>>>> next week, Monday–Friday (December 14–18). Let me know when you're available.

>>>>

>>>> Of course, if you have any questions about the issues detailed

>>> above, feel free to e-mail me at any time.

>>>>

>>>> Regards,

>>>> [REDACTED]

[REDACTED] [REDACTED]

>>>>

>>>

>

Mike Hennigan

From: [REDACTED]
Sent: Friday, June 03, 2016 8:52 PM
To: Ombudsperson
Subject: Re: Petition re: TDS internet service

Follow Up Flag: Follow up
Flag Status: Completed

Michael:

Thanks a bunch!

From: "Ombudsperson"
To: [REDACTED]
Sent: Friday, June 3, 2016 9:44:30 AM
Subject: RE: Petition re: TDS internet service

[REDACTED]
Yes. See the attached public notice and the information at the following links. If you have any questions, just let me know.

<https://www.fcc.gov/consumers/guides/consumer-labels-broadband-services>
<https://www.fcc.gov/news-events/events/2016/04/consumer-broadband-labels-announcement>

Best –
Michael

From: [REDACTED]
Sent: Friday, June 03, 2016 9:30 AM
To: Ombudsperson
Subject: Re: Petition re: TDS internet service

Michael:

Thanks again for the advice and the documentation. One question for you: in paragraphs 179 and 180 of the Order, it mentions the formulation of a standard disclosure format, to be developed by the CAC no later than October 31st, 2015. Was this directive completed and has the Commission adopted the format as "safe harbor"?

From: "Ombudsperson" <Ombudsperson@fcc.gov>
To: [REDACTED]
Sent: Wednesday, June 1, 2016 3:20:35 PM
Subject: RE: Petition re: TDS internet service

[REDACTED]
Likewise it was good talking with you yesterday. Thank you for discussing your concerns with me. As I understand it, you are concerned about the Internet service that your provider – TDS – is offering in your community. In connection with this issue, you are concerned that TDS may not have adequately disclosed the level of service that it could provide to your community and that this lack of disclosure may violate our open Internet transparency rule.

Initially, let me say that the FCC is committed to promoting broadband deployment, competition, and consumer choice. We have a number of proceedings that advance these goals and we provide financial support to encourage deployment of broadband in underserved areas. That being said, broadband deployment is not required under our Open Internet rules.

Our Open Internet rules, however, require broadband providers to be disclose accurate information about the services they offer consumers. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- **“A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings.”**

For your reference on the transparency rule, I have attached two pdfs to this email: (1) an FCC consumer guide on the transparency rule, and (2) the Open Internet Order, which the Commission adopted in February 2015. See, specifically, paragraphs 23-24, and 154-185 of the Order for discussions of the transparency rule.

With regard to our informal complaint process, the FCC’s informal complaint process provides consumers with a way to register their concerns with the FCC and their providers. Your complaint was signed by 170 individuals and as such it may benefit from being handled by our Market Disputes Resolution Division (MDRD), rather than through our Zendesk intake system where you initially submitted it.

Here is some information about filing an informal complaint with MDRD:

- To file an informal common carrier complaint, the complaining party need only submit a letter to the Chief of the Market Disputes Resolution Division, Christopher Killion, 445 12th Street SW, Washington, DC 20554, describing the alleged violation of the Communications Act. There is no fee associated with filing an informal complaint. The letter must include the name of the defendant carrier, a complete statement of the facts, and the relief sought. In addition, the complainant may request mediation in the informal complaint letter.
- Once MDRD receives an informal complaint, it will transmit the complaint to the defendant carrier and typically will require the defendant to submit a response within thirty days. Even before the response deadline, parties can explore the possibility of private settlement or engage in FCC-supervised mediation. A complainant that is not satisfied with the defendant's response, and has not been able to resolve the dispute through private settlement or subsequent mediation, has six months from the date of the response to convert the informal complaint into a formal complaint and maintain the filing date of the informal complaint. See 47 C.F.R. § 1.718. Informal complaints do not result in written orders issued by the Commission.

When submitting an informal complaint, you should make it clear that you are filing an “informal complaint” under 47 C.F.R. § 1.716 and 47 C.F.R. § 1.717. See attached pdf of these rules. Additionally, it is helpful to the Commission and to your provider if you explained specifically how you think our rules have been violated, with citation to the relevant rules and quotation of our rules as appropriate. You are welcome to submit supporting evidence as well as the scanned pages of the individuals in your community that signed your complaint. As mentioned above, the materials that you submit to the MDRD will ordinarily be provided to your provider so that your provider can respond to your complaint.

I have given MDRD a heads up that you may be filing an informal complaint with them. You can email your complaint directly to Christopher Killion, the Division Chief of MDRD, at Christopher.Killion@fcc.gov. After you have emailed your complaint to MDRD, please forward me a copy of the email so that I can make sure the complaint is handled properly. And after you receive a response from TDS and/or if you have any questions along the way, please feel free to be in touch with me.

Best –
Michael

From: [REDACTED]
Sent: Wednesday, June 01, 2016 10:46 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Re: Petition re: TDS internet service

Hi Michael:

I enjoyed our brief chat yesterday afternoon regarding the petition on TDS internet issues, and the insight and potential options on how best to pursue this. I understand the limitations that you explained regarding the FCC's authority as far

as the Transparency Rule, but still hope that there is sufficient "wiggle room" to fit our complaint into what constitutes as a violation. An initial thought that comes to mind is that TDS knows it cannot deliver the download speeds that it advertises. For example, even though I subscribe to their 5 Mbs service, in reality, I am only getting a fraction of that amount on a daily basis, and in discussions with various TDS reps, they have admitted that.

Our ultimate goal is to escalate our issues to a higher level of management within TDS, and perhaps get them to agree to sit down with a group of us and come up with a long term solution. My experience from a 37 year career with AT&T says that one of the best ways to accomplish this is to have a regulatory entity intercede on our behalf. As mentioned during our phone conversation, I remember that during my time as a field manager, any time a service complaint was forwarded by the state or federal regulatory body, we were obligated to drop everything and resolve it immediately. I suspect that most providers still handle such incidents similarly.

I look forward to "hearing" from you soon and again, greatly appreciate your help!

- [REDACTED]

From: "Ombudsperson" <Ombudsperson@fcc.gov>

To: [REDACTED]

Sent: Tuesday, May 31, 2016 1:56:06 PM

Subject: Petition re: TDS internet service

[REDACTED]

I just left you a voicemail message. I am the FCC's Open Internet Ombudsperson and your complaint was referred to me by our Consumer Help Center.

I'd like to talk with you about how the FCC can assist you and your community with these concerns.

Please be in touch. I can be emailed at this address and my direct phone number is below.

Thanks –

Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: Ombudsperson
Sent: Thursday, December 03, 2015 1:48 PM
To: [REDACTED]
Subject: RE: Paid Prioritization!!!

[REDACTED]

Thank you for contacting the FCC's Open Internet Ombudsperson. The concern that you raise below, regarding paid prioritization and AT&T's application of network management policies to some plans and not others, relates to the Open Internet. As such, you are welcome to file a complaint on this subject. This complaint can be processed separately from your other complaints about the Alltel merger conditions and AT&T's policies on tethering.

If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Or you may contact the Consumer Help Center at (888) 225-5322 to file your complaint. If you file a complaint, AT&T will be required to respond to you in writing in thirty days.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Tuesday, November 24, 2015 5:05 PM
To: Ombudsperson
Subject: Paid Prioritization!!!

<http://www.att.com/gen/public-affairs?pid=20879>

as you will see directly on their website... Customers on tiered data plans are not subject to the network management program... thats paid prioritization to me!! please call... 828-612-4442

[REDACTED]

CONFIDENTIALITY NOTICE FROM CISCO™: The information contained in this communication is confidential and intended solely for the use of the individual to whom it is addressed and others authorized to receive it. If you are not the intended recipient, any disclosure, copying, distribution or taking of any action in reliance on the contents of this information is prohibited. If you have received this communication in error, please immediately notify the sender by phone or e-mail.

Mike Hennigan

From: [REDACTED]
Sent: Thursday, October 20, 2016 6:14 PM
To: Ombudsperson
Subject: Re: Our internet problems

Follow Up Flag: Follow up
Flag Status: Completed

Thanks again, Michael.

I'll look into the filing. What could it hurt at this point?? After all this, I have pretty good knowledge of how the tech end works. I have taken extensive logs on the service, the speeds, and the many people I have worked with. I'll say that most of the people I've dealt with have seemed caring and supportive, but as a company?? well.....

I'll look through the link when my husband gets home.

[REDACTED]

On Oct 20, 2016, at 6:08 PM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

[REDACTED] -

I understand that you are frustrated by Verizon's responses to your concerns. I have seen cases in which use of the FCC complaint process has gotten results because the FCC serves the complaint on the provider and the provider is legally required to respond to you and us in writing. And I'd encourage you to at least try it. Filing a complaint can elevate an issue within a company and the company can take a fresh look at the issue. You can cut and paste the text you sent me, perhaps with some slight editing, into the complaint form on our website and submit an informal complaint easily. There is no charge for doing so. When you do so, you will receive a complaint number and if you send it to me, I will make sure it is served on your provider quickly.

With regard to the issue you raised about the speed of service that you receive compared to what you were supposed to receive, you are raising a transparency issue under the Open Internet rules.

Our Open Internet rules require broadband providers to disclose accurate information about the services they offer consumers so that consumers can make informed choices about the broadband services that they purchase. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- "A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings."

For your reference on the transparency rule, I have attached a pdf to this email of an FCC consumer guide on the transparency rule. If you feel that our transparency rule has been violated, in your complaint you should refer to this rule by name and be specific as possible as to how you think it has been violated.

From: [REDACTED]
Sent: Thursday, October 20, 2016 5:57 PM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Re: Our internet problems

Thank you, Michael.

I have been dealing with Verizon for quite some time about this matter. Their conclusion is that they have done everything that they can do. I was sent the following in a reply from an Executive Customer Advocacy group: "the director of field operations advised that all possibilities have been exhausted and the choice was to disconnect or accept the speed that you get with the service that is signed on for." I was fine with the speed that I signed up for. That was all I could get. The point is that I "signed on" for *internet service.* Right now, I'm having to use my iPhone HotSpot in order to respond to you. They have been responding to my pleas, but you see what they've decided. I **had** service, and now I don't. Nothing has changed on *my* end. Thank you, again, Michael. I don't know what else to do, nor what a formal complaint would accomplish.

On Oct 20, 2016, at 5:24 PM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

Thank you for contacting the FCC's Open Internet Ombudsperson. Below you raise concerns about the speed and reliability of your Verizon service. And you asked about potential ways of addressing these issues.

Have you filed an informal complaint about these issues with the FCC? The FCC's informal complaint process involves us serving your complaint on your provider and your provider being legally required to respond to you and us in writing in 30 days. I have seen the informal complaint process address consumer concerns in a number of cases.

If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint:

<https://consumercomplaints.fcc.gov>

Once your provider responds to you, we can discuss additional steps that you may take.

Thanks -
Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

-----Original Message-----

From: [REDACTED]
Sent: Wednesday, October 19, 2016 10:20 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Our internet problems

October 19, 2016

Hello:

We've been Verizon customers for many years...several of those years we had VerizonWireless as well. I don't recall the year that DSL was available to us, but we jumped on it immediately. We understood that we weren't going to have *fast* internet because of our location but, at least we wouldn't have to be stuck with dial-up. Our service wasn't "great": it was slow; we couldn't do our necessary "surfing" including downloading schoolwork at the same time; any videos had to be done at the library; etc, but we had use of the internet and the telephone at the same time. It *did* work and reliably downloaded email and allowed us to use the internet.

Over three years ago we took a lightning strike. We lost the router, one computer and the box on the TV (not the TV itself), but nothing else in the system—the other TV, another computer on the line, or the DirecTV box. From that time 'til now, we've had a stream of never-ending problems. I had spent countless hours on the phone with "Tech Support" in India (and Philippines) and logged most of them--documenting the times the service went down, time on the phone, who I spoke with and decisions made. Verizon recognized that we had ****many**** problems on the line, but never seemed to isolate them. According to them, we did have more than one issue, but we should be grateful that we have service at all because of our distance from the hub. (We *did* have reliable, reasonable (slow) internet prior to the strike.) Our distance from the hub *obviously* did not change!!) But, they repaired or replaced many of the components anyway. Another weird symptom we experienced after the lightning strike: for about a year(?), it seemed that the DSL service went down when it was raining, or going to rain. The satellite reception was fine. They say there is no correlation there, but we feel it was more than coincidental.

We went a little while—maybe a year?—before we started having non-stop issues again. The calls to India were futile. I was told everything from "we see nothing wrong" to "you have serious problems on your line" to "if you would just update to the 3M service, all your problems would be solved." (Currently, they have us at 864 kbps down and 157 kbps up. There have been rare occasions of having 1.1M—no higher) Since we didn't have another option for "hi-speed" internet, we had to stay with Verizon. Miraculously, I found the email addresses of the Executive Board, and it was only by contacting them that I received more in-depth support. Since they couldn't find anything else, they decided there was too much traffic on the line.

My questions to you: If our service issues have to do with "traffic", why have we needed 8 routers/modems replaced? (one of which burned up within a day?) Why have the problems been so erratic and seemingly unrelated? And, lastly, if Verizon KNOWS of the "traffic" issues in the entire Old Church/King William area, why don't they *do* something about it? (I've been told, by someone in the Verizon business office, that they are no longer supporting DSL, thus their customers)

I'm sorry to have kept you so long. I have tried every avenue, save going to the

media, to get to the bottom of this. It has gotten to the point that we have to use our iPhone HotSpots to access our mail, or have basic internet capabilities. (I can't even update my computer, or phones, or download photos without going elsewhere.) If Verizon KNOWS they have too much traffic, why do they continue to add more customers to ensure our shoddy service? What other options do we have, other than satellite?

Thanks ever so much,

[REDACTED]

[REDACTED] (b) (6)

Mechanicsville, VA 23116

Mike Hennigan

From: [REDACTED]
Sent: Thursday, October 20, 2016 6:39 PM
To: Ombudsperson
Subject: Re: Our internet problems

Follow Up Flag: Follow up
Flag Status: Completed

Michael:

I'm filling out the form and am at the "attachments." I have several logs I've kept over the years. Do you want them? Or all the communications with all the people I've been dealing with?

On Oct 20, 2016, at 6:08 PM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

[REDACTED] –

I understand that you are frustrated by Verizon's responses to your concerns. I have seen cases in which use of the FCC complaint process has gotten results because the FCC serves the complaint on the provider and the provider is legally required to respond to you and us in writing. And I'd encourage you to at least try it. Filing a complaint can elevate an issue within a company and the company can take a fresh look at the issue. You can cut and paste the text you sent me, perhaps with some slight editing, into the complaint form on our website and submit an informal complaint easily. There is no charge for doing so. When you do so, you will receive a complaint number and if you send it to me, I will make sure it is served on your provider quickly.

With regard to the issue you raised about the speed of service that you receive compared to what you were supposed to receive, you are raising a transparency issue under the Open Internet rules. Our Open Internet rules require broadband providers to disclose accurate information about the services they offer consumers so that consumers can make informed choices about the broadband services that they purchase. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- "A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings."

For your reference on the transparency rule, I have attached a pdf to this email of an FCC consumer guide on the transparency rule. If you feel that our transparency rule has been violated, in your complaint you should refer to this rule by name and be specific as possible as to how you think it has been violated.

From: [REDACTED]
Sent: Thursday, October 20, 2016 5:57 PM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Re: Our internet problems

Thank you, Michael.

I have been dealing with Verizon for quite some time about this matter. Their conclusion is that they have done everything that they can do. I was sent the following in a reply from an Executive

Customer Advocacy group: "the director of field operations advised that all possibilities have been exhausted and the choice was to disconnect or accept the speed that you get with the service that is signed on for." I was fine with the speed that I signed up for. That was all I could get. The point is that I "signed on" for *internet service.* Right now, I'm having to use my iPhone HotSpot in order to respond to you. They have been responding to my pleas, but you see what they've decided. I **had** service, and now I don't. Nothing has changed on *my* end. Thank you, again, Michael. I don't know what else to do, nor what a formal complaint would accomplish.

On Oct 20, 2016, at 5:24 PM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

[REDACTED]

Thank you for contacting the FCC's Open Internet Ombudsperson. Below you raise concerns about the speed and reliability of your Verizon service. And you asked about potential ways of addressing these issues.

Have you filed an informal complaint about these issues with the FCC? The FCC's informal complaint process involves us serving your complaint on your provider and your provider being legally required to respond to you and us in writing in 30 days. I have seen the informal complaint process address consumer concerns in a number of cases.

If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint:

<https://consumercomplaints.fcc.gov>

Once your provider responds to you, we can discuss additional steps that you may take.

Thanks -
Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

-----Original Message-----

From: [REDACTED]
Sent: Wednesday, October 19, 2016 10:20 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Our internet problems

October 19, 2016

Hello:

We've been Verizon customers for many years...several of those years we had Verizon Wireless as well. I don't recall the year that DSL was available to us, but we jumped on it immediately. We understood that we weren't going to have *fast* internet because of our location but, at least we wouldn't have to be stuck

with dial-up. Our service wasn't "great": it was slow; we couldn't do our necessary "surfing" including downloading schoolwork at the same time; any videos had to be done at the library; etc, but we had use of the internet and the telephone at the same time. It **did** work and reliably downloaded email and allowed us to use the internet.

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I'm sorry to have kept you so long. I have tried every avenue, save going to the media, to get to the bottom of this. It has gotten to the point that we have to use our iPhone HotSpots to access our mail, or have basic internet capabilities. (I can't even update my computer, or phones, or download photos without going elsewhere.) If Verizon KNOWS they have too much traffic, why do they continue to add more customers to ensure our shoddy service? What other options do we have, other than satellite?

Thanks ever so much,

(b) (6) [Redacted]

[Redacted]
Mechanicsville, VA 23116

Mike Hennigan

From: [REDACTED]
Sent: Thursday, October 20, 2016 5:57 PM
To: Ombudsperson
Subject: Re: Our internet problems

Follow Up Flag: Follow up
Flag Status: Completed

Thank you, Michael.

I have been dealing with Verizon for quite some time about this matter. Their conclusion is that they have done everything that they can do. I was sent the following in a reply from an Executive Customer Advocacy group: "the director of field operations advised that all possibilities have been exhausted and the choice was to disconnect or accept the speed that you get with the service that is signed on for." I was fine with the speed that I signed up for. That was all I could get. The point is that I "signed on" for ***internet service.*** Right now, I'm having to use my iPhone HotSpot in order to respond to you. They have been responding to my pleas, but you see what they've decided. I ****had**** service, and now I don't. Nothing has changed on ***my*** end.

Thank you, again, Michael. I don't know what else to do, nor what a formal complaint would accomplish.

[REDACTED]

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[REDACTED] -

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Once your provider responds to you, we can discuss additional steps that you may take.

Thanks -
Michael

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Thanks ever so much,

(b) (6)

Mechanicsville, VA 23116

Mike Hennigan

From: Ombudsperson
Sent: Friday, October 21, 2016 8:22 AM
To: [REDACTED]
Subject: RE: Our internet problems

[REDACTED] – You are welcome to upload any supporting information, speed tests, etc., that you want to support your complaint. They will all be served on your provider as evidence of your complaint. It is not uncommon for complaints involving speed issues to include evidence of slow speeds. If you have any other questions, just let me know.

From: [REDACTED]
Sent: Thursday, October 20, 2016 6:39 PM
To: Ombudsperson
Subject: Re: Our internet problems

Michael:

I'm filling out the form and am at the "attachments." I have several logs I've kept over the years. Do you want them? Or all the communications with all the people I've been dealing with?

On Oct 20, 2016, at 6:08 PM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

[REDACTED]

I understand that you are frustrated by Verizon's responses to your concerns. I have seen cases in which use of the FCC complaint process has gotten results because the FCC serves the complaint on the provider and the provider is legally required to respond to you and us in writing. And I'd encourage you to at least try it. Filing a complaint can elevate an issue within a company and the company can take a fresh look at the issue. You can cut and paste the text you sent me, perhaps with some slight editing, into the complaint form on our website and submit an informal complaint easily. There is no charge for doing so. When you do so, you will receive a complaint number and if you send it to me, I will make sure it is served on your provider quickly.

With regard to the issue you raised about the speed of service that you receive compared to what you were supposed to receive, you are raising a transparency issue under the Open Internet rules.

Our Open Internet rules require broadband providers to disclose accurate information about the services they offer consumers so that consumers can make informed choices about the broadband services that they purchase. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- "A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings."

For your reference on the transparency rule, I have attached a pdf to this email of an FCC consumer guide on the transparency rule. If you feel that our transparency rule has been violated, in your complaint you should refer to this rule by name and be specific as possible as to how you think it has been violated.

From: [REDACTED]
Sent: Thursday, October 20, 2016 5:57 PM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Re: Our internet problems

Thank you, Michael.

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On Oct 20, 2016, at 5:24 PM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

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| FCC Open Internet Ombudsperson| ombudsperson@fcc.gov | (202) 418-1155 |

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Thanks ever so much,

(b) (6)

Mechanicsville, VA 23116

Mike Hennigan

From: [REDACTED]
Sent: Friday, October 21, 2016 12:41 PM
To: Ombudsperson
Subject: Re: Our internet problems

Follow Up Flag: Follow up
Flag Status: Completed

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Thanks ever so much,

(b) (6) [REDACTED]

[REDACTED]

Mechanicsville, VA 23116

Mike Hennigan

From: [REDACTED]
Sent: Friday, October 21, 2016 12:21 PM
To: Ombudsperson
Subject: Re: Our internet problems

Follow Up Flag: Follow up
Flag Status: Completed

This is interesting. When I try to get to the complain link you sent me, Safari couldn't get it! I went to the FCC site, which opened fine, then the complaint link gave me the error again!!!

> On Oct 20, 2016, at 5:24 PM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

>

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> Mechanicsville, VA 23116

Mike Hennigan

From: [REDACTED]
Sent: Friday, October 21, 2016 1:45 PM
To: Ombudsperson
Subject: Re: Our internet problems

Follow Up Flag: Follow up
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Here's the number!!! Ticket No. 128068

Again, I'm not sending all the email responses, or responses from forum heads. Let me know if there is anything else I can do.

Thanks for your help.
[REDACTED]

On Oct 21, 2016, at 1:23 PM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

That is odd - I don't know what is going on. If you send me the materials, I can see if I can get them uploaded into the system for you.

From: [REDACTED]
Sent: Friday, October 21, 2016 12:41 PM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Re: Our internet problems

Michael:

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Hello:

We've been Verizon customers for many years...several of those years we had VerizonWireless as well. I don't recall the year that DSL was available to us, but we jumped on it immediately. We understood that we weren't going to have *fast* internet because of our location but, at least we wouldn't have to be stuck with dial-up. Our service wasn't "great": it was slow; we couldn't do our necessary "surfing" including downloading schoolwork at the same time; any videos had to be done at the library; etc, but we had use of the internet and the telephone at the same time. It *did* work and reliably downloaded email and allowed us to use the internet.

Over three years ago we took a lightning strike. We lost the router, one computer and the box on the TV (not the TV itself), but nothing else in the system—the other TV, another computer on the line, or the DirecTV box. From that time 'til now, we've had a stream of never-ending problems. I had spent countless hours on the phone with "Tech Support" in India (and Philippines) and logged most of them--documenting the times the service went down, time on the phone, who I spoke with and decisions made. Verizon recognized that we had ****many**** problems on the line, but never seemed to isolate them. According to them, we did have more than one issue, but we should be grateful that we have service at all because of our distance from the hub. (We *did* have reliable, reasonable (slow) internet prior to the strike.) Our distance from the hub *obviously* did not change!!) But, they repaired or replaced many of the components anyway. Another weird symptom we experienced after the lightning strike: for about a year(?), it seemed that the DSL service went down when it was raining, or going to rain. The satellite reception was fine. They say there is no correlation there, but we feel it was more than coincidental.

We went a little while—maybe a year?—before we started having non-stop issues

again. The calls to India were futile. I was told everything from “we see nothing wrong” to “you have serious problems on your line” to “if you would just update to the 3M service, all your problems would be solved.” (Currently, they have us at 864 kbps down and 157 kbps up. There have been rare occasions of having 1.1M—no higher) Since we didn’t have another option for “hi-speed” internet, we had to stay with Verizon. Miraculously, I found the email addresses of the Executive Board, and it was only by contacting them that I received more in-depth support. Since they couldn’t find anything else, they decided there was too much traffic on the line.

My questions to you: If our service issues have to do with “traffic”, why have we needed 8 routers/modems replaced? (one of which burned up within a day?) Why have the problems been so erratic and seemingly unrelated? And, lastly, if Verizon KNOWS of the "traffic" issues in the entire Old Church/King William area, why don’t they *do* something about it? (I’ve been told, by someone in the Verizon business office, that they are no longer supporting DSL, thus their customers)

I’m sorry to have kept you so long. I have tried every avenue, save going to the media, to get to the bottom of this. It has gotten to the point that we have to use our iPhone HotSpots to access our mail, or have basic internet capabilities. (I can’t even update my computer, or phones, or download photos without going elsewhere.) If Verizon KNOWS they have too much traffic, why do they continue to add more customers to ensure our shoddy service? What other options do we have, other than satellite?

Thanks ever so much,

(b) (6)

Mechanicsville, VA 23116

Mike Hennigan

From: Ombudsperson
Sent: Friday, October 21, 2016 1:23 PM
To: [REDACTED]
Subject: RE: Our internet problems

That is odd - I don't know what is going on. If you send me the materials, I can see if I can get them uploaded into the system for you.

From: Meff [mailto:mfb1028@gmail.com]
Sent: Friday, October 21, 2016 12:41 PM
To: Ombudsperson
Subject: Re: Our internet problems

Michael:

I have tried several different ways to open the complaint link, and every time Safari "can't open page" "can't find server." The FCC.gov opens fine. Other links open fine.

I can send you the copy of the complaint, a copy of the description, as well as the attachments that I put in the original. Will that suffice?

Thanks

On Oct 20, 2016, at 5:24 PM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

[REDACTED] -

Thank you for contacting the FCC's Open Internet Ombudsperson. Below you raise concerns about the speed and reliability of your Verizon service. And you asked about potential ways of addressing these issues.

Have you filed an informal complaint about these issues with the FCC? The FCC's informal complaint process involves us serving your complaint on your provider and your provider being legally required to respond to you and us in writing in 30 days. I have seen the informal complaint process address consumer concerns in a number of cases.

If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint:

<https://consumercomplaints.fcc.gov>

Once your provider responds to you, we can discuss additional steps that you may take.

Thanks -
Michael

-----Original Message-----

From: [REDACTED]
Sent: Wednesday, October 19, 2016 10:20 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Our internet problems

October 19, 2016

Hello:

We've been Verizon customers for many years...several of those years we had VerizonWireless as well. I don't recall the year that DSL was available to us, but we jumped on it immediately. We understood that we weren't going to have *fast* internet because of our location but, at least we wouldn't have to be stuck with dial-up. Our service wasn't "great": it was slow; we couldn't do our necessary "surfing" including downloading schoolwork at the same time; any videos had to be done at the library; etc, but we had use of the internet and the telephone at the same time. It *did* work and reliably downloaded email and allowed us to use the internet.

Over three years ago we took a lightning strike. We lost the router, one computer and the box on the TV (not the TV itself), but nothing else in the system—the other TV, another computer on the line, or the DirecTV box. From that time 'til now, we've had a stream of never-ending problems. I had spent countless hours on the phone with "Tech Support" in India (and Philippines) and logged most of them--documenting the times the service went down, time on the phone, who I spoke with and decisions made. Verizon recognized that we had **many** problems on the line, but never seemed to isolate them. According to them, we did have more than one issue, but we should be grateful that we have service at all because of our distance from the hub. (We *did* have reliable, reasonable (slow) internet prior to the strike.) Our distance from the hub *obviously* did not change!!) But, they repaired or replaced many of the components anyway. Another weird symptom we experienced after the lightning strike: for about a year(?), it seemed that the DSL service went down when it was raining, or going to rain. The satellite reception was fine. They say there is no correlation there, but we feel it was more than coincidental.

We went a little while—maybe a year?—before we started having non-stop issues again. The calls to India were futile. I was told everything from "we see nothing wrong" to "you have serious problems on your line" to "if you would just update to the 3M service, all your problems would be solved." (Currently, they have us at 864 kbps down and 157 kbps up. There have been rare occasions of having 1.1M—no higher) Since we didn't have another option for "hi-speed" internet, we had to stay with Verizon. Miraculously, I found the email addresses of the Executive Board, and it was only by contacting them that I received more in-depth support. Since they couldn't find anything else, they decided there was too much traffic on the line.

My questions to you: If our service issues have to do with "traffic", why have we needed 8 routers/modems replaced? (one of which burned up within a day?) Why have the problems been so erratic and seemingly unrelated? And, lastly, if Verizon KNOWS of the "traffic" issues in the entire Old Church/King William area, why don't they *do* something about it? (I've been told,

by someone in the Verizon business office, that they are no longer supporting DSL, thus their customers)

I'm sorry to have kept you so long. I have tried every avenue, save going to the media, to get to the bottom of this. It has gotten to the point that we have to use our iPhone HotSpots to access our mail, or have basic internet capabilities. (I can't even update my computer, or phones, or download photos without going elsewhere.) If Verizon KNOWS they have too much traffic, why do they continue to add more customers to ensure our shoddy service? What other options do we have, other than satellite?

Thanks ever so much,

(b) (6)

Mechanicsville, VA 23116

Mike Hennigan

From: [REDACTED]
Sent: Tuesday, August 02, 2016 6:45 PM
To: Ombudsperson
Subject: Re: Open Internet rules; process for filing a formal complaint

Follow Up Flag: Follow up
Flag Status: Completed

Michael:

Have not read anything yet, just wanted to first thank you again for all of your time today and for sending all this.

Blair

On Tue, Aug 2, 2016 at 6:35 PM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

[REDACTED] –

Thank you for the call today and thank you for contacting the FCC's Open Internet Ombudsperson. I understand that you are concerned about AT&T's policies regarding unlimited wireless data plans, specifically whether these policies violate our Open Internet rules, and that you are interested in information about filing a formal complaint.

Our Open Internet rules require broadband providers to disclose accurate information about the services they offer consumers so that consumers can make informed choices about the broadband services that they purchase. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

• “A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings.”

For your reference on the transparency rule, I have attached two pdfs to this email: (1) an FCC consumer guide on the transparency rule, and (2) the Open Internet Order, which the Commission adopted in February 2015. See, specifically, paragraphs 23-24, and 154-185 of the Order for discussions of the transparency rule.

As we discussed, AT&T was subject to a Notice of Apparent Liability (NAL) in 2015 related to the marketing of unlimited plans. The NAL is attached for your reference.

Regarding the process for filing formal complaints: In 2010, the Commission adopted streamlined procedures for filing formal complaints concerning our Open Internet rules. You can find these streamlined procedures at 47 CFR 8.12 through 47 CFR 8.17 (see pages 705 to 710 in the attached pdf of the Code of Federal Regulations) and these procedures are discussed in the 2010 Open Internet rules at paras. 154 to 159

(attached). The 2010 Open Internet rules were largely overturned on appeal, but the streamlined formal complaint process for Open Internet matters was not overturned. The 2015 Open Internet order affirmed the streamlined formal complaint process for Open Internet matters and made some additional revisions, for example the filing of formal complaints electronically rather than by hand delivery. See paras. 259 to 265 of the 2015 Open Internet Order. Formal complaints are adjudicated by our Market Disputes Resolutions Division.

I can discuss the requirements for filing a formal complaint with you and can also connect you with relevant staff at the FCC. Additionally, below is some general information about filing an formal complaint:

- **Formal Complaints:** Unlike informal complaints, formal complaints involve detailed procedural rules and filing requirements. The formal complaint process is similar to federal court litigation, in that it involves a complaint, answer, reply, motions, briefs, and discovery. Unlike federal court litigation, however, complainants in formal section 208 complaints are required to provide detailed facts and proof regarding all claims in the complaint itself, and discovery is usually not as expansive. Consequently, a formal complaint must contain as much factual support as possible at the filing stage. This can be in the form of sworn affidavits, and documentary evidence. Formal complaint proceedings are resolved by a written order issued by the Bureau or the full Commission.

Note that as I mentioned to you on the phone, Section 207 of the Communications Act is the election of remedies provision under the Act:

47 USC 207:

- Any person claiming to be damaged by any common carrier subject to the provisions of this chapter may either make complaint to the Commission as hereinafter provided for, or may bring suit for the recovery of the damages for which such common carrier may be liable under the provisions of this chapter, in any district court of the United States of competent jurisdiction; but such person shall not have the right to pursue both such remedies.

Section 207 means that the filing of a complaint with the FCC is your election to proceed on that path and not the path of filing the complaint in federal court. Under Section 207, you have the right to follow either path, but not both. Also note that some courts have taken the view that the filing of an informal complaint (not just a formal complaint) constitutes an election of remedies under Section 207 of the Act. If you are concerned about this, you can contact our Market Disputes Resolution Division to discuss it further.

If you have any questions or if I can be of any other assistance, feel free to be in touch.

Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: [REDACTED]
Sent: Wednesday, July 22, 2015 12:09 PM
To: Ombudsperson
Subject: Re: Open Internet Order Violation by Guam Telecommunications (GTA) Teleguam

Follow Up Flag: Follow up
Flag Status: Completed

Thank you!!!

On Thursday, July 23, 2015 1:44 AM, Ombudsperson wrote:

The FCC's informal complaint process involves serving the complaint to the carrier/service provider that you have named in the complaint.

The service provider/GTA Teleguam is allowed 30 days to respond to the complaint, as per FCC Rules and Regulations . The carrier will mail you a copy of the response and is also required to provide a copy to the FCC.

The Consumer Center handles all incoming complaints/public inquiries. As such, the Consumer Center can provide you with an on-going status of your complaint. The number for the Consumer Center is :

888-225-5322

Thank you so much.

From: [REDACTED]
Sent: Wednesday, July 22, 2015 10:51 AM
To: Ombudsperson
Subject: Re: Open Internet Order Violation by Guam Telecommunications (GTA) Teleguam

Hello sir/ma'am,

I have filed a complaint and it has been almost 10 days and have not heard from anyone. I did so using the link you have provided. When can I expect to hear from someone? Thanks.

[REDACTED].

Sent from my iPad

On Jul 23, 2015, at 12:29 AM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

Thank you for your email. Your inquiry relates to an Open Internet complaint. If you have not already done so, please file your complaint online.

You can use the below link and select "Open Internet" as the " Internet issue" for which you are filing the complaint:

https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Also of interest may be the following consumer guide:

<https://consumercomplaints.fcc.gov/hc/en-us/articles/204231404-Open-Internet>

Thanks again.

From: [REDACTED]
Sent: Saturday, July 18, 2015 12:40 PM
To: Ombudsperson
Subject: Open Internet Order Violation by Guam Telecommunications (GTA) Teleguam

To Whom It May Concern,

I am writing to inform of a violation of the FCC's Open Internet Order policy, in particular, regarding the Bright Line Rules. Within these rules, the "No Throttling" is being violated". This clause states "Broadband providers may not impair or degrade lawful Internet traffic on the basis of content, applications, services, or non-harmful devices". I am currently stationed in Guam and use a local provider, GTA Guam, for my mobile broadband Internet service. This same service provides, at the time when I signed up, for a \$51.00 a month Unlimited Data service. I signed with GTA Guam 1 Dec 14. Today, along with a few others, we noticed our speed was not the same as it was when we signed up. The average speed for 4GLTE was around 25mbps. Now, we are currently receiving 0.75mbps. I contacted GTA Guam and spoke with the Vice President, Sharon Davis (after speaking to several customer service reps and a manager) who informed, as I recorded the conversation between us, and to which she was aware, GTA is throttling customers (her exact words) due to circumscribing a 10Gps (cap). She informed that I [REDACTED] [REDACTED] went over this cap and have been throttled. I asked her when did this policy come into effect. She informed me the policy went into effect 1 July 15. I ascertained how were customers notified. She stated numerous notifications were sent out by mail. Sir/Ma'am, I, and along with everyone whom I know this affects, have not received a notification from GTA. After, visiting the GTA website, we downloaded a notice which detailed in Section 2 under Data Usage: "If you exceed the Wireless Data Usage Limit specified in this policy for your type of plan or add-on, we may slow your speed so that all GTA customers can better share the network and enjoy quality access to the Internet. If you are on an unlimited data plan, your usage will remain unlimited, though your speed will be reduced after periods of excessive data usage". As a customer, to me "Unlimited Data" means unlimited data. I don't understand why I am being throttled. When I asked about this, Mrs. Davis informed me "My team of lawyers assured me this is okay". Sir/Ma'am, this seems all too much like a coincidence as AT&T was fined, or is being fined, by the FCC for this very same thing. Just like AT&T, customers were not notified of this change. I received my 1 Jul 15 bill which arrives around the 15th of the billing cycle which informed of these changes. There was no other notification in any form or fashion as stated by Mrs. Davis. Furthermore, when asked if I could resume the data plan that I have, the same plan that I pay \$51.00 for Unlimited Data, Mrs. Davis informed me I would have to pay extra. This was all during the recorded conversation (I have this recorded and informed her the conversation was being recorded). I have evidence to support the lack of any notification of throttling Internet speeds. I hope this does not fall on deaf ears, I am an Active Duty service member and depend on the Internet for school work, research, and a business I am hoping to start. There are only 2 providers on this beautiful Island; DOCOMO Pacific and GTA. Additionally, the GTA Guam website (<http://www.gta.net/>) has no such information, under "News and Notices" regarding throttling. We had to actually dig for the information and it is this same surreptitious information Mrs. Davis used to justify throttling customers. If you would like documentation, I have everything one would need. Thank you for your time. In an update, (as it is now 803PM) it appears GTA has removed this policy letter. However, I am still being throttled. Please provide me some guidance; I've filed a complaint and uploaded documents to the FCC website 3 days ago and have not heard anything. Thank you.

[REDACTED]

Mike Hennigan

From: Ombudsperson
Sent: Monday, April 11, 2016 5:40 PM
To: [REDACTED]
Subject: RE: Open Internet Verizon/Frontier Complaint

[REDACTED] –
Thank you for your email. I spoke with Ms. McCullough about your complaint. We are monitoring your complaint and I look forward to discussing it with you when your provider responds to your complaint. If you do not hear from your provider within 30 days, let me know.

Thanks –
Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Tuesday, April 05, 2016 5:16 PM
To: Ombudsperson
Subject: Open Internet Verizon/Frontier Complaint

Dear Mr. Janson,

This afternoon I spoke with Ms. McCullough regarding the Verizon/Frontier "merge" and the subsequent issues. Ms. McCullough is a knowledgeable individual that was very helpful in not only suggestions and directives, but in providing me the correct terminology to utilize, for which I am appreciative. I did follow up after our conversation with the suggested complaint on FCC's website which generated ticket number 895764.

In summary: We received no warning we were being transferred to another company. We lost service completely without knowing why for hours, until when calling what we thought was Verizon, we were connected to Frontier instead. (Whereby we were told Verizon should have told us and we should have internet back by the 14th of April at the latest - this was the first of April). Our paid contract requires 50/50 and have found this is not what we are receiving.

I can not even begin to know what you folks have to contend with, especially at this time, so I thank all of you in advance for your dedication and help.

Appreciatively,

[REDACTED]
[REDACTED]

Mike Hennigan

From: Ombudsperson
Sent: Friday, January 29, 2016 12:54 PM
To: [REDACTED]
Subject: RE: Open Internet Question

[REDACTED] -

Thank you for contacting the FCC's Open Internet Ombudsperson. The concern that you raise below, regarding Your Karma's data usage and speed reduction policies, relates to the Open Internet. As such, you are welcome to file a complaint on this subject. If you file a complaint, we will serve your complaint on your provider and your provider will be legally required to respond to you in writing in 30 days.

If you would like to file a complaint, you can use this link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Or you may contact the Consumer Help Center at (888) 225-5322 to file your complaint.

If you file a complaint and Your Karma's response is not satisfactory to you, let me know.

Thank you.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, January 19, 2016 2:27 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Open Internet Question

Hello,

I was writing to ask if what my ISP is doing is enough to file a complaint against them.

The company in question is Your Karma. The website is: <https://yourkarma.com/>.

They advertise a 5Mbps neverstop plan with no data caps. When I first started the plan on December 23rd of 2015. I was getting less than 1Mbps on average using speedtest.net (this happened on multiple days).

I spoke with them and they suggested moving the modem, which is a mobile hotspot that uses the sprint network.

As of 1/18/16 at 8:09 AM. I recieved an email stating:

1. data is capped at 15GB for full speed (5Mbps). after which the speed gets throttled to ISDN speed (64kbps) (I had to actually look the speed up using the link: <https://blog.yourkarma.com/neverstop-changes>

2. data will return to 5Mbps up and down speed (they were throttling me at first purchase possibly)

Thank you for your time

(b) (6)

[REDACTED]

Freeport TX
77541

(b) (6)

Mike Hennigan

From: Ombudsperson
Sent: Tuesday, June 30, 2015 12:25 PM
To: [REDACTED]
Subject: RE: Open Internet/Net Neutrality

Follow Up Flag: Follow up
Flag Status: Completed

[REDACTED]

Thank you for your email. Your inquiry relates to an Open Internet complaint. If you have not already done so, please file your complaint online.

You can use the below link and select "Open Internet" as the " Internet issue" for which you are filing the complaint:
https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Also of interest may be the following consumer guide:
<https://consumercomplaints.fcc.gov/hc/en-us/articles/204231404-Open-Internet>

Thanks again.

From: [REDACTED]
Sent: Sunday, June 28, 2015 1:39 AM
To: Ombudsperson
Subject: Open Internet/Net Neutrality

I don't want to get anyone in trouble and have been a long time AT&T Customer because I rarely have issues, but when I do, they are resolved promptly. I am operating under the assumption that built-in Android/iPhone WiFi hot spot functionality should be enabled, regardless of whether you have another plan.

I live in an area with poor cellphone and power coverage so I would like the ability to use the built in functionality instead of download another application that may or may not contain adware and/or spyware.

Also, the formatting of this email not be constructed properly

I contacted AT&T regarding the new rules that went into effect to prevent Service Providers such as AT&T, from blocking Wi-Fi Hotspot applications, specifically Android Phone Tethering enabled.

I believe this was not appropriate, nor in compliance with Neutrality
Before the
Federal Communications Commission
Washington, D.C. 20554

)
In the Matter of)

Protecting and Promoting the Open Internet) GN Docket No. 14-28
)

Web-Chat with AT&T listed below:

6/27/2015

AT&T: Hello! How may we help you today?

Jeram.f': Hi there! I can help you with your concern. May I have your wireless number and your name please?

Me: sure, [REDACTED]

Jeraffi.f': Thanks [REDACTED] how may I help you today? ;)

Me: According to the FCC Net Neutrality Regulations that went into effect, Mobile Hot..Spots on can no longer be restricted. I recently purchased a Galaxy 63 Edge and need to enable the built in WiFi Hotspot Feature w/out losing my Unlimited Data and Messaging Plan

Me: Also, I need help finding covers for the Samsung Galaxy es Edge that are compatible with Qi Induction capable chargers.

Ma: sorry, first typing should have been Galaxy SS Edge, not 63 Edge (no morning coffee yet)

Jeram.f': Upon checking here Sean, the hotspot for unlimited data is still an ongoing debate, we still do not have the option to turn it on just yet.

Me: I know court findings have been filed, but since the regulations have been published the the regular effective date and the Supreme Court denied an injunction, they should be within compliance

Jeraffi.f': I understand where you are coming from, but since the case is still on going, and we dont have the new rule for data unlimited , we still dont have the option to turn the wifi hotspot for unlimited data customers :(

Me: Understood. 2nd question, are there currently any covers for the 6S Edge that are compatible with with inductive charging. And 3rd question, I have PTSD which affects my ability to go out in public, and would like to purchase one of the new Miao-Cell Devices for my home due to lack of sufficient coverage from regional cell towers. Can I purchase one online due to my disability that affects my ability to purchase on in-store

Me: purchase one* micro-cell in-store

Jeraffi.f': Thanks [REDACTED] I totally understand, yes we can order a microcell online and have it delivered . I am currently searching for the 68 edge cover you are looking for just a minute

Me: Thanks. Please make sure the Micro-cell is the new model (black in color) as opposed to older model (orange, white, & gray)

<https://www.att.com/scripts/touchcommerce/inqChat.html?IFRAME> 1/6
6/27/2015

Jeraffi.f': Upon checking here [REDACTED], we dont have access on covers , is there a number where I can call you so I can transfer you over to our sales department, they might have the specific cover you are looking for

plus we can order the microcell with them

Me: Unfortunately incoming phone calls trigger anxiety attacks, which is why I prefer chat. I also have difficulty with verbal conversations without memory issues

Jeram.f': I see, let me check with them if I can go ahead and order it on your behalf

Ma: thanks

Jeram.f': No problem

Jeram.f': Can you check this cover, if that would fit your need

<http://www.att.com/cases/pelican-protector-case-samsung-galaxy-s-6-edge.html#sku=sku7520750>

Ma: The case fits my phone, but I am looking for one that is compatible not only with the Galaxy S6 Edge, but also with the Qi Inductive

Chargers, like this one <http://www.samsung.com/us/mobile/cell-phones/accessories/EP-PG9201BUGUS>

Jeram.f': I see, I ask our sales department [REDACTED] and they said they don't have the cover for Inductive charger yet, we suggest to check Samsung online store .

Me: ok, thanks. Do you need additional information for the Micro-cell purchase?

Jeraffi.f': Oh no, for Microcell purchase I will have to transfer you over to our support chat so you can order it, would that be okay?

Me: yep, that's fine

Jeram.f': Thanks, just a minute

Jeraffi-F has left the chat

You are being transferred, please hold ...

AT&T: Please wait while a secure chat connection is established.

AT&T: Thank you for your patience. Please continue to wait.

Agent Danielle Arrington enters chat

Danielle Arrington: Good morning, my name is Danielle, am I speaking with [REDACTED]?

<https://www.att.com/scripts/touchcommerce/inqChat.html?IFRAME> 216
6/27/2015

Me: yes, I am [REDACTED]

Danielle Arrington: Thank you [REDACTED], I see your chat has been transferred over to me and I'm able to see the transcript so I'm reading over it now.

Me: ok, thanks. In short, I have PTSD and was looking for purchase one of the new Micro-Cell devices to expand coverage in my home due to lack of coverage in the area. I would specifically like the new model (black) as opposed to the older White/Gray/Orange Devices

Danielle Arrington: I can assist you with this. I'm sorry to hear about the PTSD but let's see how we can help you

Danielle Arrington: Can you please verify your home address?

Me: thanks, I appreciate it

Danielle Arrington: [REDACTED], can you please verify your home address?

Me: sure, [REDACTED], Carlisle, PA 17015-7900. Before that, [REDACTED], Pittsburgh, PA 15217

Me: not sure if I updated it when I moved ...

Danielle Arrington: Thank you for verifying your address for me. I'm going to see if we have the microcell available in your area and also if we have any offers for you as well.

Me: Thank you. I do have DoDINavy discounts, but not sure that those apply to ...

Danielle Arrington: The discount wouldn't apply to the microcell but I'll see what we can do for you.

Me: ok, thank you

Danielle Arrington: [REDACTED] I'm not bringing up your wireless account. Is the [REDACTED] phone number and AT&T cell phone number?

Me: (random question) Are there plans to release a 4G/4G L TE version?

Me: ah, sorry, that's google voice, my cellphone number is [REDACTED]

Danielle Arrington: Thank you for providing me with the wireless
<https://www.att.com/scripts/touchcommerce/inqChat.html?IFRAME> 3/6
6/27/2015
number.

Danielle Arrington: We unfortunately don't see if a newer version is being made for the microcell.

Me: This is the model I was looking for,
http://www.att.com/att/microcell/downloads/ATT_MicroCell_UserManual.pdf

Danielle Arrington: [REDACTED] in order for the microcell to work and boost the signal there has to be an internet connection. The microcell is not compatible with wireless, satellite or dial up internet service.

Danielle Arrington: Is your internet service either of those?

Me: understood, I have broadband connection (currently) through Comcast

Danielle Arrington: Great, I also see the microcell is available in your area as well.

Me: great, that's good news

Danielle Arrington: The microcell is \$149.99 +tax. I also see we have a \$75 mail in rebate available in your area as well, so that's good news also.

Me: great, I love discounts/rebates

Danielle Arrington: :) Me too

Me: haha

Danielle Arrington: There is free standard shipping or you can upgrade to priority shipping for \$14.95.

Danielle Arrington: How would you like us to ship the device to you?

Me: Can you tell me the time difference on the shipping method?

Danielle Arrington: I certainly can, my apologies for not adding that part.

Me: no worries

Danielle Arrington: Standard shipping can take up to six business days and priority shipping is 1 to 2 business days.

<https://www.att.com/scripts/touchcommerce/inqChat.html?IFRAME> 416
6/27/2015

Me: I'll go with priority shipping

Danielle Arrington: Great :)

Danielle Arrington: [REDACTED] is the new address, correct?

Me: yes, that is correct

Danielle Arrington: Awesome. I am showing your email address as

[REDACTED]

Me: that is correct

Danielle Arrington: Wonderful. The total, including tax and added shipping cost is \$173.94.

Danielle Arrington: I am reading for the card number when you are.

Me: one moment

Me: [REDACTED]

Me: Security Code: [REDACTED]

Danielle Arrington: Thank you [REDACTED] so I will charge \$173.94 to card ending in [REDACTED] now.

Me: understood, thanks

Danielle Arrington: [REDACTED] I've completed the order for you

Danielle Arrington: Your Order Number: [REDACTED]

Me: thank you very much

Danielle Arrington: You will receive a confirmation email along with an email letting you know when your order has shipped.

Me: ok, thanks

Danielle Arrington: To get to the rebate on the AT&T website you will search Microcell Rebate and click the first link.

<https://www.att.com/scripts/touchcommerce/inqChat.html?IFRAME> 516

6/27/2015

Danielle Arrington: Scroll down and you will see FAQ

Danielle Arrington: Under "Billing I Account you will see ARE there rebates available ...

Danielle Arrington: The rebate form is right there.

Me: ok, thank you very much

Danielle Arrington: It was my pleasure. I'm glad I was able to get the microcell ordered for you and find a great rebate as well.

Danielle Arrington: What else can I help you with [REDACTED].

Me: I think that will be everything

Danielle Arrington: Thank you so much for the service you've provided for our country. It is appreciated more than you think. Have a wonderful weekend and thank you for being a part of the AT&T family.:-)

Me: Thank you very much, I appreciate your help.

Me: Have a great day

Danielle Arrington: Thank you :-)

Thank you for chatting with us today. The agent has /elf this conversation. For further questions, please click the chat

button located on the right side of the screen.

<https://www.att.com/scripts/touchcommerce/inqChat.html?IFRAME> 616



Mike Hennigan

From: Ombudsperson
Sent: Wednesday, July 22, 2015 11:44 AM
To: [REDACTED]
Subject: RE: Open Internet Order Violation by Guam Telecommunications (GTA) Teleguam

Follow Up Flag: Follow up
Flag Status: Completed

The FCC's informal complaint process involves serving the complaint to the carrier/service provider that you have named in the complaint.

The service provider/GTA Teleguam is allowed 30 days to respond to the complaint, as per FCC Rules and Regulations .

The carrier will mail you a copy of the response and is also required to provide a copy to the FCC.

The Consumer Center handles all incoming complaints/public inquiries. As such, the Consumer Center can provide you with an on-going status of your complaint. The number for the Consumer Center is :

888-225-5322

Thank you so much.

From: [REDACTED]
Sent: Wednesday, July 22, 2015 10:51 AM
To: Ombudsperson
Subject: Re: Open Internet Order Violation by Guam Telecommunications (GTA) Teleguam

Hello sir/ma'am,

I have filed a complaint and it has been almost 10 days and have not heard from anyone. I did so using the link you have provided. When can I expect to hear from someone? Thanks.

[REDACTED]

Sent from my iPad

On Jul 23, 2015, at 12:29 AM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

Thank you for your email. Your inquiry relates to an Open Internet complaint. If you have not already done so, please file your complaint online.

You can use the below link and select "Open Internet" as the " Internet issue" for which you are filing the complaint:

https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Also of interest may be the following consumer guide:

<https://consumercomplaints.fcc.gov/hc/en-us/articles/204231404-Open-Internet>

Thanks again.

From: [REDACTED]
Sent: Saturday, July 18, 2015 12:40 PM
To: Ombudsperson
Subject: Open Internet Order Violation by Guam Telecommunications (GTA) Teleguam

To Whom It May Concern,

I am writing to inform of a violation of the FCC's Open Internet Order policy, in particular, regarding the Bright Line Rules. Within these rules, the "No Throttling" is being violated". This clause states "Broadband providers may not impair or degrade lawful Internet traffic on the basis of content, applications, services, or non-harmful devices". I am currently stationed in Guam and use a local provider, GTA Guam, for my mobile broadband Internet service. This same service provides, at the time when I signed up, for a \$51.00 a month Unlimited Data service. I signed with GTA Guam 1 Dec 14. Today, along with a few others, we noticed our speed was not the same as it was when we signed up. The average speed for 4GLTE was around 25mbps. Now, we are currently receiving 0.75mbps. I contacted GTA Guam and spoke with the Vice President, Sharon Davis (after speaking to several customer service reps and a manager) who informed, as I recorded the conversation between us, and to which she was aware, GTA is throttling customers (her exact words) due to circumscribing a 10Gps (cap). She informed that I [REDACTED] went over this cap and have been throttled. I asked her when did this policy come into effect. She informed me the policy went into effect 1 July 15. I ascertained how were customers notified. She stated numerous notifications were sent out by mail. Sir/Ma'am, I, and along with everyone whom I know this affects, have not received a notification from GTA. After, visiting the GTA website, we downloaded a notice which detailed in Section 2 under Data Usage: "If you exceed the Wireless Data Usage Limit specified in this policy for your type of plan or add-on, we may slow your speed so that all GTA customers can better share the network and enjoy quality access to the Internet. If you are on an unlimited data plan, your usage will remain unlimited, though your speed will be reduced after periods of excessive data usage". As a customer, to me "Unlimited Data" means unlimited data. I don't understand why I am being throttled. When I asked about this, Mrs. Davis informed me "My team of lawyers assured me this is okay". Sir/Ma'am, this seems all too much like a coincidence as AT&T was fined, or is being fined, by the FCC for this very same thing. Just like AT&T, customers were not notified of this change. I received my 1 Jul 15 bill which arrives around the 15th of the billing cycle which informed of these changes. There was no other notification in any form or fashion as stated by Mrs. Davis. Furthermore, when asked if I could resume the data plan that I have, the same plan that I pay \$51.00 for Unlimited Data, Mrs. Davis informed me I would have to pay extra. This was all during the recorded conversation (I have this recorded and informed her the conversation was being recorded). I have evidence to support the lack of any notification of throttling Internet speeds. I hope this does not fall on deaf ears, I am an Active Duty service member and depend on the Internet for school work, research, and a business I am hoping to start. There are only 2 providers on this beautiful Island; DOCOMO Pacific and GTA. Additionally, the GTA Guam website (<http://www.gta.net/>) has no such information, under "News and Notices" regarding throttling. We had to actually dig for the information and it is this same surreptitious information Mrs. Davis used to justify throttling customers. If you would like

documentation, I have everything one would need. Thank you for your time. In an update, (as it is now 803PM) it appears GTA has removed this policy letter. However, I am still being throttled. Please provide me some guidance; I've filed a complaint and uploaded documents to the FCC website 3 days ago and have not heard anything. Thank you.

[REDACTED]

Mike Hennigan

From: Ombudsperson
Sent: Tuesday, March 15, 2016 2:42 PM
To: [REDACTED]
Subject: RE: Open Internet complaint about censoring
Attachments: FCC-15-24A1_Open_Internet_Order.pdf

[REDACTED]

Thank you for contacting the FCC's Open Internet Ombudsperson. And thank you for talking with me on March 3 about your concerns, which relate to Brookdale's policies regarding your Internet access. Your concerns relate to our Open Internet rules, and such I encourage you to file a complaint with our Consumer Help Center.

If you would like to file a complaint, you can use the following link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Regarding the particular questions that we discussed, the FCC's Open Internet Order includes an exception for premises operators when the premises operator is the broadband internet access subscriber (BIAS) and Internet access is then distributed to other users. See paragraph 191 of the attached Order and the text pasted below. Without knowing all of the facts and circumstances present in your situation, it is difficult to say whether the premises exception applies. If you file a complaint with us, you are welcome to raise this issue in your complaint.

Thank you again for your inquiry.

- Paragraph 191. We again decline to apply the open Internet rules to premises operators —such as coffee shops, bookstores, airlines, private end-user networks (e.g. libraries and universities), and other businesses that acquire broadband Internet access service from a broadband provider to enable patrons to access the Internet from their respective establishments—to the extent they may be offering broadband Internet access service as we define it today. We find, as we did in 2010, that a premises operator that purchases BIAS is an end user and that these services “are typically offered by the premise operator as an ancillary benefit to patrons.” Further, applying the open Internet rules to the provision of broadband service by premises operators would have a dampening effect on these entities’ ability and incentive to offer these services. As such, we do not apply the open Internet rules adopted today to premises operators. The record evinces no significant disagreement with this analysis.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Monday, February 29, 2016 12:58 PM
To: Ombudsperson
Subject: Open Internet complaint about censoring

Dear Sir/Madam:

I am a resident at a senior citizen continuing care community owned and operated by (b) (6).
(b) (6) In particular, I am a resident of the
(b) (6) facility known (b) (6).

The resident contract for all of the residents at (b) (6) specifies that "high speed internet" is a "utility" that is "included in your Monthly Fee". Until approximately one month ago, our internet access was provided through Comcast. We enjoyed the Comcast internet service for several years and it was quite good, and most importantly, uncensored. Starting approximately one month ago (b) (6) we decided (for reasons we residents have not been told) to redirect the Comcast service through their own corporate servers. Apparently, those servers are set up to filter internet content and not allow access to sites that Brookdale, in their sole discretion, deems to be offensive or harmful.

I have attached one page from a recent (b) (6) newsletter in which they describe in detail their policy on internet blocking. Since we residents have not been told of the reasons for the recent reconfiguration we can only wonder why the concerns (b) (6) expressed in their newsletter have just now become concerns. Brookdale was never concerned for the many years that Comcast gave us unfiltered access.

Certain residents recently directed the attention of (b) (6) management to the FCC web site describing the FCC's Open Internet policy and how it forbids blocking. Brookdale responded by claiming that Brookdale is not bound by that FCC policy because they are not the internet provider. They claim that Comcast is still the internet provider even though (b) (6) filtering the content.

(b) (6) argument seems very suspicious to the residents. However, without outside help we have no way to refute their interpretation. Any help that you can give us in this matter is greatly appreciated.

Sincerely,

(b) (6)
(b) (6)
(b) (6)

(b) (6)
(b) (6)

The Villages, FL 32159-1005

Mike Hennigan

From: Ombudsperson
Sent: Thursday, August 06, 2015 12:03 PM
To: [REDACTED]; Ombudsperson
Subject: RE: Open Internet ?

Follow Up Flag: Follow up
Flag Status: Completed

[REDACTED],

The Open Internet rules apply to both wireline and wireless Internet access. If you believe your wireless provider is not in compliance with the rules, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint:

https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

If you have not already looked at this, also of interest may be the following consumer guide:

<https://consumercomplaints.fcc.gov/hc/en-us/articles/204231404-Open-Internet>

Thank you.

From: [REDACTED]
Sent: Thursday, August 06, 2015 10:53 AM
To: Ombudsperson
Subject: Open Internet ?

To whom it may concern:

Can you clarify for me whether or not my Internet provider can slow down my services because they believe I am using the Internet more than I should?

I have read your open Internet document and it appears to talk mainly about broadband not wireless.

My Internet is through a wireless service and they have significantly slowed down my Internet. Because of this, I have been talking with a lot of different Internet providers. I live in a rural area where Internet access is very limited.

Thanks for your time.

I look forward to hearing back from someone regarding my question.

Respectfully,

[REDACTED]

Mike Hennigan

From: [REDACTED]
Sent: Monday, September 26, 2016 12:26 PM
To: Ombudsperson
Subject: Re: Open Access on the Internet Problem

Follow Up Flag: Follow up
Flag Status: Completed

OK, Am open to a call after 2pm Eastern Time.

Number is [REDACTED]

Look forward to it.

On Mon, Sep 26, 2016 at 11:12 AM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

[REDACTED] -

Thank you for contacting the FCC's Open Internet Ombudsperson. I understand from your email below that you are concerned about potential blocking on the part of AT&T.

Would you be available a telephone call today to discuss this? If so, what are some times that would work?

Michael Janson | FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Monday, September 26, 2016 12:09 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Cc: [REDACTED]
Subject: Open Access on the Internet Problem

I have just had installed a new uverse internet service in my San Antonio Home. Previously I had service from Time Warner (which is now changing to Spectrum).

My AT&T Uverse Internet/Uverse Phone account number is [REDACTED], which was installed on 20 Sep 2016 at my home: [REDACTED] San Antonio, TX 78249.

I still retain some internet/email services with Time Warner but to my amazement, the AT&T Technical Support folks have informed me that I cannot access my emails thru the AT&T Uverse network; the specific URL is <http://webmail.roadrunner.com>.

Its my understanding that the FCC rules prohibit the intentional blocking of a competitors services, as stated below.

No Blocking [47 C.F.R. § 8.5]

Fixed services: A person engaged in the provision of fixed broadband Internet access

service, insofar as such person is so engaged, shall not block lawful content, applications, services, or non-harmful devices, subject to reasonable network management.

Please advise. If they cannot be reasonable about this, I wish to file a formal complaint.

Thanks. Look forward to hearing from you soon.

--

[REDACTED]

--
[REDACTED]

Mike Hennigan

From: Ombudsperson
Sent: Monday, September 26, 2016 12:12 PM
To: [REDACTED]
Subject: RE: Open Access on the Internet Problem

[REDACTED]

Thank you for contacting the FCC's Open Internet Ombudsperson. I understand from your email below that you are concerned about potential blocking on the part of AT&T.

Would you be available a telephone call today to discuss this? If so, what are some times that would work?

Michael Janson | FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Monday, September 26, 2016 12:09 AM
To: Ombudsperson
Cc: [REDACTED]
Subject: Open Access on the Internet Problem

I have just had installed a new uverse internet service in my San Antonio Home. Previously I had service from Time Warner (which is now changing to Spectrum).

My AT&T Uverse Internet/Uverse Phone account number is [REDACTED], which was installed on 20 Sep 2016 at my home: [REDACTED] San Antonio, TX 78249.

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Please advise. If they cannot be reasonable about this, I wish to file a formal complaint.

Thanks. Look forward to hearing from you soon.

--
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mike Hennigan

From: Kimberly Wild
Sent: Monday, August 15, 2016 1:18 PM
To: Ombudsperson
Cc: James Brown
Subject: RE: Oak Hills Community Complaint

Follow Up Flag: Follow up
Flag Status: Completed

The POCs in MDRD are Rosemary McEnery and Chris Killion. I've forwarded this to them Is there anything else they need? Thanks.

From: Kimberly Wild
Sent: Monday, August 15, 2016 1:01 PM
To: Ombudsperson
Cc: James Brown
Subject: RE: Oak Hills Community Complaint

Hi Robin. Let me reach out to MDRD and see if I can find the correct person. I believe it is Rosemary McEnery. I'll let you know. Thanks. Kim

From: Ombudsperson
Sent: Monday, August 15, 2016 12:04 PM
To: Kimberly Wild <Kimberly.Wild@fcc.gov>
Cc: James Brown <James.Brown@fcc.gov>; Ombudsperson <Ombudsperson@fcc.gov>
Subject: FW: Oak Hills Community Complaint

Hi Kim.

I received this email in the Ombudsperson's email in box. It appears that Michael had contact with this consumer before taking leave. I know that Michael has been referring these types of complaints to MDRD when the community makes a written submission containing a petition from the community/multiple community members.

However, I do not know to whom, (within MDRD), he refers this type of complaint.

Therefore, do you want to handle or should I send the consumer information for filing an individual Informal Complaintor do you want to contact MDRD to determine who can reach out to this consumer?

Thanks,

Robin

From: [REDACTED]
Sent: Saturday, August 13, 2016 2:31 PM

To: Ombudsperson <Ombudsperson@fcc.gov>

Subject: Re: Oak Hills Community Complaint

Thanks so much for getting back to me. My phone number is [REDACTED]. I'm available after 1pm PST on Monday or almost anytime on Tuesday.

Thanks

From: Ombudsperson <Ombudsperson@fcc.gov>

Sent: Thursday, August 11, 2016 9:32 AM

To: [REDACTED]

Subject: RE: Oak Hills Community Complaint

[REDACTED]

Thank you for contacting the FCC's Open Internet Ombudsperson. Would you be available for a phone call today? Perhaps we could talk at 2:00 pm eastern (11:00 am pacific) or 5:00 pm eastern (2:00 pm pacific)?

Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]

Sent: Wednesday, August 10, 2016 11:18 PM

To: Ombudsperson <Ombudsperson@fcc.gov>

Subject: Oak Hills Community Complaint

Dear Ombudsperson,

Our community of approx. 600 homes in California and have been subjected to terrible internet service and high prices. Internet providers intentionally slow our service and refuse to build the capacity to correct their capacity issues and meanwhile charge each user high prices for subpar service. As a community we have been complaining to the providers for a long time. In addition to high prices, they lock us into a 2 yr contract knowing we will not be satisfied with the speed of the service.

We are enlisting your help in holding these providers accountable to provide our community the same basis level of service that is experienced in our surrounding areas. They claim we are rural and not worth the investment. I believe this is a violation of the Net Neutrality requirement.

Thank you for your time and hope to hear from you soon.

Sent from Windows Mail

Mike Hennigan

From: [REDACTED]
Sent: Saturday, August 13, 2016 2:31 PM
To: Ombudsperson
Subject: Re: Oak Hills Community Complaint

Follow Up Flag: Follow up
Flag Status: Completed

Thanks so much for getting back to me. My phone number is [REDACTED]. I'm available after 1pm PST on Monday or almost anytime on Tuesday.

Thanks

From: Ombudsperson
Sent: Thursday, August 11, 2016 9:32 AM
To: [REDACTED]
Subject: RE: Oak Hills Community Complaint

[REDACTED] –
Thank you for contacting the FCC's Open Internet Ombudsperson. Would you be available for a phone call today? Perhaps we could talk at 2:00 pm eastern (11:00 am pacific) or 5:00 pm eastern (2:00 pm pacific)?
Michael
| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED] [mailto:dianeratcliff606@msn.com]
Sent: Wednesday, August 10, 2016 11:18 PM
To: Ombudsperson
Subject: Oak Hills Community Complaint

Dear Ombudsperson,
Our community of approx. 600 homes in California and have been subjected to terrible internet service and high prices. Internet providers intentionally slow our service and refuse to build the capacity to correct their capacity issues and meanwhile charge each user high prices for subpar service. As a community we have been complaining to the providers for a long time. In addition to high prices, they lock us into a 2 yr contract knowing we will not be satisfied with the speed of the service.
We are enlisting your help in holding these providers accountable to provide our community the same basis level of service that is experienced in our surrounding areas. They claim we are rural and not worth the investment. I believe this is a violation of the Net Neutrality requirement.
Thank you for your time and hope to hear from you soon.
Sent from Windows Mail

Mike Hennigan

From: Kimberly Wild
Sent: Monday, August 15, 2016 1:01 PM
To: Ombudsperson
Cc: James Brown
Subject: RE: Oak Hills Community Complaint

Follow Up Flag: Follow up
Flag Status: Completed

Hi Robin. Let me reach out to MDRD and see if I can find the correct person. I believe it is Rosemary McEnery. I'll let you know. Thanks. Kim

From: Ombudsperson
Sent: Monday, August 15, 2016 12:04 PM
To: Kimberly Wild
Cc: James Brown ; Ombudsperson
Subject: FW: Oak Hills Community Complaint

Hi Kim,

I received this email in the Ombudsperson's email in box. It appears that Michael had contact with this consumer before taking leave. I know that Michael has been referring these types of complaints to MDRD when the community makes a written submission containing a petition from the community/multiple community members.

However, I do not know to whom, (within MDRD), he refers this type of complaint.

Therefore, do you want to handle or should I send the consumer information for filing an individual Informal Complaintor do you want to contact MDRD to determine who can reach out to this consumer?

Thanks,

Robin

From: [REDACTED]
Sent: Saturday, August 13, 2016 2:31 PM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Re: Oak Hills Community Complaint

Thanks so much for getting back to me. My phone number is [REDACTED]. I'm available after 1pm PST on Monday or almost anytime on Tuesday.

Thanks

Mike Hennigan

From: Ombudsperson
Sent: Sunday, May 22, 2016 10:57 PM
To: [REDACTED]
Subject: RE: NETFLIX NEW FAST.COM WEBSITE
Attachments: DA-16-569A1(1)_OI_Transparency_Guidance.pdf

p.s. Fyi/icymi – Attached is a recent release on providing guidance on the transparency rule (acceptable methodologies for disclosure of network performance).

From: [REDACTED]
Sent: Thursday, May 19, 2016 9:18 PM
To: Ombudsperson
Subject: RE: NETFLIX NEW FAST.COM WEBSITE

Mr. Jensen,

Things actually have returned to best performance, pre-throttling performance. I have no data or changes in use to account for the changes. I have come to believe the issue with streaming speeds are dependent on the streaming source delivery bit rate. Unfortunately I have not found anything to quantify those delivery speeds and have not been successful in attempts to contact website administrators.

Thank you for your continued efforts,

[REDACTED]

----- Original message -----

From: Ombudsperson <Ombudsperson@fcc.gov>
Date: 05/19/2016 4:32 PM (GMT-05:00)
To: [REDACTED]
Subject: RE: NETFLIX NEW FAST.COM WEBSITE

[REDACTED]

Thanks for the update. I'm still working on your case and I would be interested to know if you are observing the same sort of slowdowns as before.

Best –

Michael

From: [REDACTED]
Sent: Thursday, May 19, 2016 4:19 PM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: NETFLIX NEW FAST.COM WEBSITE

Mr. Jensen;

I hope this note finds you well. Netflix just launched a new speed assessment website **fast.com**. Very basic, only tests download speed, however it **DOES NOT** test functional speed (the speed of actual downloaded content). Not too helpful. One update, COMCAST has re-instituted my data use tracking screen. I am testing to see if the re-institute data throttling....

Best Wishes,

[REDACTED]

Mike Hennigan

From: [REDACTED]
Sent: Monday, February 06, 2017 10:21 PM
To: Ombudsperson
Subject: RE: Net neutrality

PLEASE do not change the open internet policy, the following is from your page, and it is vital for the working people of America that these rules remain in place and enforced!

The FCC's Open Internet rules protect your ability to go where you want when you want online. Broadband service providers cannot block or deliberately slow speeds for Internet services or apps, create special "fast lanes" for content, or engage in other practices that harm Internet openness. This principle is often referred to as "net neutrality."

The rules protect and maintain open, uninhibited access to lawful online content. They specifically prohibit:

- **Blocking:** Broadband providers may not block access to lawful content, applications, services or non-harmful devices.
- **Throttling:** Broadband providers may not deliberately target some lawful Internet traffic to be delivered to users more slowly than other traffic.
- **Paid prioritization:** Broadband providers may not favor some Internet traffic in exchange for consideration of any kind; in other words, no "fast lanes." Internet service providers are also banned from prioritizing content and services of their affiliates.

Mike Hennigan

From: Ombudsperson
Sent: Friday, September 04, 2015 6:16 PM
To: [REDACTED]
Subject: RE: Net neutrality complain

Follow Up Flag: Follow up
Flag Status: Completed

Thank you for contacting the Federal Communications Commission.

Your inquiry relates to an Open Internet complaint. If you have not already done so, please file your complaint online. You can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint:

https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Also of interest may be the following consumer guide:

<https://consumercomplaints.fcc.gov/hc/en-us/articles/204231404-Open-Internet>

Thanks again.

From: [REDACTED]
Sent: Friday, September 04, 2015 5:02 PM
To: Ombudsperson
Cc: [REDACTED]
Subject: Net neutrality complain

Dear Sir/Madam,

My name is [REDACTED] and I live in Pembroke Pines, Florida. The internet service provider choice is limited in my area to Comcast, which means they enjoy the benefits of a market with no competition. I'm writing you to ask your assistance with two issues that affect the cost and how I use my internet service at home.

1) I currently subscribe to the "Performance Internet" service listed on their website for new customers in my community for \$29.99/month for the first 12 months and \$49.99 thereafter. Comcast currently charges me \$66.95 for the same plan. I believe this practice is unfair and constitutes an abuse of Comcast's monopoly position in the local market. I hereby kindly request your assistance to correct this absurdity.

2) Two days ago, I received notification that Comcast will be capping my internet data usage to an arbitrary level. In my household, the internet is used for telephone service, running a small business, online classes for my young daughters and for myself, including homework and research for those classes. We receive all of our news and entertainment through our internet connection. An arbitrary cap will seriously affect how we use our internet and seriously impair our education, access to information, how we conduct our small business and how we receive entertainment. This arbitrary cap will place us in a position where we'll have to prioritize our usage, potentially forcing us to give up portions of the content we currently consume, these consequences clearly violate the "No throttling" and the "No paid prioritization" rules, so hereby I'm kindly requesting your prompt and firm action in making sure Comcast not only stops abusing their privileged position in the market but more importantly complies with the Open Internet rules as designed.

Thank you in advance for your prompt action and positive response to these matters. I'm available to answer any of your questions by email [REDACTED] or by phone: [REDACTED]

Sincerely,

[REDACTED]

Electronics Engineer

Pembroke Pines, Florida.

Mike Hennigan

From: Ombudsperson
Sent: Tuesday, February 02, 2016 9:35 PM
To: [REDACTED]
Subject: RE: Net Neutrality and Competition for Internet Service in the United States
Attachments: FCC-16-6A1_2016_BPR.pdf; FCC-15-25A1_Municipal_Broadband.pdf

[REDACTED] -

Thank you for contacting the FCC's Open Internet Ombudsperson. Below you raise concerns about the level of local competition for broadband and local loop unbundling. These topics relate to the Open Internet, and you are welcome to contact our Consumer Help Center about them - www.consumercomplaints.fcc.gov.

With regard to the specific points that you raised, the FCC has taken steps to promote local competition and our annual Broadband Progress Report provides a detailed evaluation of the availability of broadband to all Americans. Attached to this email is a copy of this year's report. Municipal broadband may be a viable alternative in areas where consumers would be otherwise underserved. Also attached is an order from February 2015 in which the FCC pre-empted two state laws that limited the ability of municipalities to offer broadband themselves. Finally, you asked about whether we could have an Open Internet without adequate local competition. The Open Internet Order addresses the relationship between local competition and an Open Internet. And we are taking steps to both maintain an Open Internet and to promote local competition.

I appreciate your support for local loop unbundling. And I thank you again for bringing your concerns to our attention.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

-----Original Message-----

From: [REDACTED]
Sent: Monday, January 25, 2016 8:29 PM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Net Neutrality and Competition for Internet Service in the United States

Dear Ombudsperson,

Thank you for your service and thank you for taking the time to read this correspondence.

I want to applaud your efforts in securing Net Neutrality. It was a bold effort to protect the rights of consumers.

Unfortunately, I am concerned that the effort does not go far enough.

Most Americans still only have 1 or 2 options for Internet service in their homes. Internet Service Providers in many regions of the country face little or no competition. Prices for Internet and Cable TV in America are 2x to 3x higher than in most of the Western Hemisphere. Service speeds are slower than most of Europe as well.

Although Net Neutrality is important, are we truly providing a "free and open" internet environment if the providers operate in an environment where they have little or no competition? If providers can charge whatever they want with no competition, are consumers truly benefiting from Net Neutrality?

I hope you consider my questions seriously.

I believe that the FCC has the ability to change the competitive climate of Internet and Cable service in America. In Europe, local loop unbundling has increased competition amongst providers and improved service speed.

The Telecommunications Act of 1996 was passed to break up the local monopolies. I believe this act could allow the FCC to dramatically change the competitive environment of Cable TV and Internet Service in America and I hope you will consider researching how to bring this about.

Currently American citizens are suffering from an environment that does not provide a truly open and competitive environment. We are experiencing higher prices and a serious lack of competition. I urge you to bring to local loop unbundling and unbundled access to America.

The communication companies will not like it, but in time it will become the norm and American citizens will reap the benefits.

Sincerely,

(b) (6)

[Redacted]

Buffalo, NY 14223

--

--

Mike Hennigan

From: Ombudsperson
Sent: Thursday, November 12, 2015 10:06 AM
To: [REDACTED]
Subject: RE: Net Fairness and Cable Company Threats

[REDACTED]

Thank you for contacting the Open Internet Ombudsperson. You raised a concern involving Comcast's recently announced plans regarding data usage. The FCC's Consumer Center accepts complaints of this type.

Please use this URL/web site link for the purpose of filing a complaint with the FCC's Consumer Help Center: <https://consumercomplaints.fcc.gov>. The site also has informational materials, which may be of interest to you.

If you file a complaint, you will be issued a complaint number, once you have filed. The Consumer Help Center will send your concerns to Comcast. Comcast is required to respond, in writing, to your complaint that was filed through the Consumer Help Center.

Thank you again.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Saturday, November 07, 2015 6:17 PM
To: Ombudsperson
Subject: Net Fairness and Cable Company Threats

As noted in this article (<http://www.phillymag.com/business/2015/11/07/comcast-leak-data-cap/>), our provider, Comcast, has been threatening to charge us fees for excess data usage above some yet to be set threshold. This is clearly because customers tired of having to pay through the nose for unwanted bundled channels are moving to streaming content.

I would love to see the FCC pull a Judge Green and separate cable TV carriers into two businesses: one that simply provides bandwidth and the other that provides content. I would also love to see a rule put in place that prevents the data carrier from selling bandwidth to the content providers at discounted pricing. Individuals who want to stream and those who buy cable services should be paying the same price per gigabyte irrespective of how they are getting their entertainment.

[REDACTED]
Albuquerque, NM

Mike Hennigan

From: [REDACTED]
Sent: Thursday, January 05, 2017 8:08 PM
To: Ombudsperson
Subject: Re: Land Line phone required for Internet?

Follow Up Flag: Follow up
Flag Status: Completed

Thank you for your e-mail, my wife did tell me you called. I updated my online complaint with the following text:

I am adding the citation I believe may be violated:

47 Code of Federal Regulations § 8.11 - No unreasonable interference or unreasonable disadvantage standard for Internet conduct:

• “Any person engaged in the provision of broadband Internet access service, insofar as such person is so engaged, shall not unreasonably interfere with or unreasonably disadvantage end users' ability to select, access, and use broadband Internet access service or the lawful Internet content, applications, services, or devices of their choice, or edge providers' ability to make lawful content, applications, services, or devices available to end users. Reasonable network management shall not be considered a violation of this rule.”

By requiring me to pay \$34.83 a month for a unnecessary landline, it unreasonably interferes and disadvantages me from selecting from a variety of VoIP service providers. I should not be required to have a landline, in order to have the capability to have VoIP services.

They did contact me, and informed me that they require a landline, because they receive federal funding for each landline account that they service.

Thank you,
[REDACTED]

On Thu, Jan 5, 2017 at 2:37 PM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

[REDACTED],

I just tried to give you a call on the number you provided below. I've looked into this issue and based upon the facts you've presented, it appears as though you are raising a concern that would fall under the Open Internet Order's no unreasonable interference/disadvantage standard, [47 CFR 8.11](#):

47 Code of Federal Regulations § 8.11 - No unreasonable interference or unreasonable disadvantage standard for Internet conduct:

• “Any person engaged in the provision of broadband Internet access service, insofar as such person is so engaged, shall not unreasonably interfere with or unreasonably disadvantage end users' ability to select, access, and use broadband Internet access service or the lawful Internet content, applications, services, or devices of their choice, or edge providers' ability to make lawful content, applications, services, or devices available to end users. Reasonable network management shall not be considered a violation of this rule.”

The question is whether your ISP's requirement for you to have a bundled phone service *unreasonably interferes or disadvantages* (1) your ability to select, access, and use a competing VoIP service, and/or *unreasonably interferes or disadvantages* a competing VoIP providers' ability to make their VoIP service ability to end users.

You are welcome to add to your informal complaint with citation to this rule if you feel this is the issue you are raising and/or to include additional information explaining why, specifically, you think this rule may have been violated. For your reference, I've attached our Open Internet Order. Paragraphs 133 to 145 discuss the no unreasonable interference/disadvantage standard.

If you would like to discuss this further on the phone, I can give you a call tomorrow if you let me know a few times that will work for you.

Thanks –

Michael

| [FCC Open Internet Ombudsperson](#) | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Friday, December 23, 2016 12:02 PM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Re: Land Line phone required for Internet?

Thank you for the quick response. I will file the informal complaint today.

V/R

[REDACTED]

On Fri, Dec 23, 2016 at 7:54 AM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

[REDACTED]:

Thank you for contacting the FCC's Open Internet Ombudsperson. Below you raise a concern about an ISP requiring telephone service, and charging associated fees for that service, in order for you to receive internet service. I will look into this issue and reply to you during the first week of January, but initially you should file an informal complaint so that your ISP provider can respond to you and the FCC in writing. Here are instructions for filing an informal complaint:

- If you are concerned about the service that you are receiving from your provider, the adequacies of your provider's disclosures, and/or that your provider is violating our rules, you are welcome to file an informal complaint with the FCC's Consumer Help Center. If you file an informal complaint, we will serve the complaint on your provider and your provider will be legally required to respond to you and us in writing within 30 days. Once your provider responds to you, we can discuss the response with you and additional steps you may take.
- If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

• When filing a complaint, you should specifically describe your concerns, clearly reference the rule that you think may have been violated, and precisely explain why you think a violation of that rule may have occurred, with quotation of the rule as appropriate.

Thank you.

| [FCC Open Internet Ombudsperson](#) | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Friday, December 23, 2016 3:39 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Land Line phone required for Internet?

Hello,

I am writing to you because my ISP states on their website "Due to federal guidelines, a phone line is required to receive Internet. Residential customers should consider subscribing to a bundle for the best overall pricing on Internet, cable TV and phone.", <https://www.alliancecom.net/internet/>

Is this lawful? They do not cite the guideline or regulation, and charge \$18 a month (plus tax and fess coming to \$34.83 every month)) for a landline that I use maybe once a month. It seems to me like they are fleecing me, and other customers into buying an unneeded service. I seriously pay almost as much for the landline as I do for the internet!

Charge Detail

Residential Service [REDACTED]
[REDACTED], SD 57349-8704

Recurring Charges (Dec 01 - Dec 31)

- * Residential Line Charge 18.00
- * FCC End User Charge - Residence 6.50
- Total Maintenance Plan 2.00
- * Access Recovery Charge-Residential 2.50
- Taxes, Fees, and Surcharges
- * Communications Impaired Fund 0.15
- * Enhanced 911 Service-Miner County 1.25

Federal Excise Tax 0.87

Federal Universal Service Charge 1.57

Howard City Tax 0.61

South Dakota State Sales Tax 1.38

Total for [REDACTED] \$ 34.83

High Speed Internet-FOL

[REDACTED] Howard, SD 57349-8704

Recurring Charges (Dec 01 - Dec 31)

Ethernet 30.0/5.0 34.95

Router Support Plan 1.95

Taxes, Fees, and Surcharges

Howard City Tax 0.74

South Dakota State Sales Tax 1.66

Total for High Speed Internet-FOL \$ 39.30

Any help you can be would be much appreciated. I wish I could just drop the landline all together.

[REDACTED]

Mike Hennigan

From: [REDACTED]
Sent: Friday, December 23, 2016 12:02 PM
To: Ombudsperson
Subject: Re: Land Line phone required for Internet?

Follow Up Flag: Follow up
Flag Status: Completed

Thank you for the quick response. I will file the informal complaint today.

V/R
[REDACTED]

On Fri, Dec 23, 2016 at 7:54 AM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

[REDACTED]:

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- If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824
- When filing a complaint, you should specifically describe your concerns, clearly reference the rule that you think may have been violated, and precisely explain why you think a violation of that rule may have occurred, with quotation of the rule as appropriate.

Thank you.

| [FCC Open Internet Ombudsperson](#) | ombudsperson@fcc.gov | (202) 418-1155 |

From: [REDACTED]
Sent: Friday, December 23, 2016 3:39 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Land Line phone required for Internet?

Hello,

I am writing to you because my ISP states on their website "Due to federal guidelines, a phone line is required to receive Internet. Residential customers should consider subscribing to a bundle for the best overall pricing on Internet, cable TV and phone.", <https://www.alliancecom.net/internet/>

Is this lawful? They do not cite the guideline or regulation, and charge \$18 a month (plus tax and fess coming to \$34.83 every month)) for a landline that I use maybe once a month. It seems to me like they are fleecing me, and other customers into buying an unneeded service. I seriously pay almost as much for the landline as I do for the internet!

Charge Detail

Residential Service [REDACTED]

[REDACTED] Howard, SD 57349-8704

Recurring Charges (Dec 01 - Dec 31)

* Residential Line Charge 18.00

* FCC End User Charge - Residence 6.50

Total Maintenance Plan 2.00

* Access Recovery Charge-Residential 2.50

Taxes, Fees, and Surcharges

* Communications Impaired Fund 0.15

* Enhanced 911 Service-Miner County 1.25

Federal Excise Tax 0.87

Federal Universal Service Charge 1.57

Howard City Tax 0.61

South Dakota State Sales Tax 1.38

Total for [REDACTED] \$ 34.83

High Speed Internet-FOL

[REDACTED] Howard, SD 57349-8704

Recurring Charges (Dec 01 - Dec 31)

Ethernet 30.0/5.0 34.95

Router Support Plan 1.95

Taxes, Fees, and Surcharges

Howard City Tax 0.74

South Dakota State Sales Tax 1.66

Total for High Speed Internet-FOL \$ 39.30

Any help you can be would be much appreciated. I wish I could just drop the landline all together.

██████████

Mike Hennigan

From: Ombudsperson
Sent: Tuesday, June 07, 2016 6:06 PM
To: [REDACTED]
Subject: RE: Lack of Response by FCC and Cable One to REQUEST #939855
Attachments: RESPONSE TO 939855 - CHRISTIAN CORYELL.pdf; FCC-15-24A1_Open_Internet_Order.pdf; informalcomplaint_guide.pdf

[REDACTED]

Thank you for contacting the FCC's Open Internet Ombudsperson. Your provider has responded to your informal complaint and the response is attached to this email.

I understand that you are concerned about Cable One's usage policies. As you may know, the Commission adopted the Open Internet Order in February 2015, the rules went into effect in June 2015, and the rules are currently being challenged in court. In the Open Internet Order (attached), the Commission noted: "Data caps or allowances, which limit the amount and type of content users access online, can have a role in providing consumers options and differentiating services in the marketplace, but they also can negatively influence customer behavior and the development of new applications." Paragraph 82. At paragraph 153, the Commission noted differing views on usage allowances (a.k.a. "data caps") and the Commission declined "to make blanket findings about these practices." In that same paragraph, the Commission stated that it would address concerns about such practices on a case-by-case basis.

With regard to our informal complaint process, the FCC's informal complaint process provides consumers with a way to register their concerns with the FCC and their providers. We utilize the information in consumer complaints and provider responses in a number of ways. Attached to this email is a guide with additional information about our informal complaint process.

Under our rules, we may serve your informal complaint on your provider, and if so, your provider is legally required to respond to you and us in writing. If you are not satisfied with your provider's response, we can serve a rebuttal on your provider and your provider would be required to respond in writing to the rebuttal as well.

If you find your provider's response insufficient and would like information about filing a rebuttal, let me know.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

-----Original Message-----

From: [REDACTED]
Sent: Friday, June 03, 2016 2:04 PM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Lack of Response by FCC and Cable One to REQUEST #939855

I HAVE RECEIVED NO RESPONSE to this complaint from the FCC or Cable One.

Again... Cable One has a local monopoly over Internet Services in this area. Cable one is leveraging this monopoly to unfairly restrict access to streaming services in order to force customers to adopt Cable One's TV offerings. As a result, use of any 4K video streaming of content from providers such as NETFLIX immediately drives users over their usage cap,

making use of such services untenable. While cost of Internet Bandwidth has continued to decline year-after-year, Cable One has initiated a policy of forcing data caps on users as a means to restrict choice by unfairly exploiting a local monopoly.

Furthermore, this policy has been implemented by Cable One prior to the widespread adoption of 4K technologies. As a result, Cable One can make claims about the "average" user and their data consumption. In such cases, the statistic will be directly impacted by Cable One's actions (having already made consumption of high resolution streaming services untenable for all customers).

I WOULD LIKE A WRITTEN RESPONSE FROM BOTH THE FCC AND CABLE ONE EXPLAINING HOW THIS ARRANGEMENT DOES NOT CREATE A CONFLICT OF INTEREST, EXPLAINING HOW CABLE ONE IS NOT IN FACT ENGAGING IN PRICE GOUGING AND AN EXPLANATION OF HOW THE FCC IS OPERATING AS AN EFFECTIVE REGULATOR AND WORKING IN THE BEST INTERESTS OF THE PUBLIC IT HAS BEEN CHARGED WITH SERVING.

Mike Hennigan

From: Ombudsperson
Sent: Friday, March 04, 2016 3:33 PM
To: (b) (6)
Subject: FW: C. HENSEL FCC COMPLAINT (#757854) - RESPONSE TO COMCAST LETTER 2-12-2016
Attachments: COMCAST RESPONSE - 2-12-16--757854_Hensel.pdf; COMCAST LETTER-DARLENE PIERRE - 1.docx; Router Distance 10'.jpg; netgear r-6300 HARDWIRED.jpg; Router Hardwired - Computer.jpg; THROTTLED DATA WITH CAPS - 1.docx

Fyi.

From: (b) (6)
Sent: Friday, February 19, 2016 11:40 AM
To: Ombudsperson
Subject: (b) (6) (#757854) - RESPONSE TO COMCAST LETTER 2-12-2016

(b) (6)
[Redacted]

February 19, 2016

Mr. Jensen:

I am writing this letter in response to the Written Communication from Comcast dated February 12, regarding my FCC Complaint (# 757854) of video data throttling.

I believe it is best to address the response point-by-point, and as I have proceeded thus far, to address these points via empirical data.

1) Edge Provider Transmission Speed:

"The new rules define an "edge provider" as any "individual or entity that provides any content, application, or service over the Internet, and any individual or entity that provides a device used for accessing any content, application, or service over the Internet." [2] Those rules also expressly state that a broadband provider "shall not unreasonably interfere with or unreasonably disadvantage ... edge providers' ability to make lawful content, applications, services or devices available to end users."

To date I have not found ANY data to quantify or suggest the "Edge Providers" of stream video content are exceedingly slow. The attached document "Throttled Data With Caps" clearly demonstrates a "cap" on the data

throughput. It also strains credulity to believe ALL video content suppliers are providing consistently slow data streams that are below the threshold necessary for uninterrupted performance or fully 1080p quality.

2) Simultaneous Download Streams:

I live *alone* – there are **NO** simultaneous download streams conflicting my signals and I have certified there are NO third parties hijacking my bandwidth. I have also moved my Wi-Fi signal to a fully uncongested band.

3) Degraded Wi-Fi signal due to physical position and range of W-Fi Router:

Per the attached pictures, my network is **HARDWIRED**, therefore there can be no possibility of degraded Wi-Fi signal due to position and range.

4) Comcast Network Congestion:

All data were collected at various times. The Video Stream Data was consistently degraded throughout the testing period 10:00 am - 2:00 am.

5) Comcast Records-No Technical Issues:

Comcast confirms "*Comcast records do not reflect any problems affecting (b) (6) Internet service during the times he has reported.*" My internal network has been certified by FOUR separate Comcast service technicians.

6) Customer Service Contacts-"No Further Help Speed Concerns":

Customer Service Contacts:

**Christy:
Comcast Technical Service
888-565-4329 x-11280**

I spoke with Christy on several occasions and we agreed that I would support her due diligence efforts to address my throttling concerns and allow a FIFTH Comcast service representative to certify my system. I was absolutely clear that action would be acceptable after I received an email confirming I would not be charged a \$40 service fee. (*Three calls to remove fourth service technician service charge-two were escalated to Comcast Management*). Christy communicated she did not have the authority to issue the email waiver of the service fee and **I never heard from her again**. Note: Christy would not give me her email address so that I would be able to document our conversation or send the accumulated empirical video stream data.

I did follow up on Feb. 17, to discuss her dishonest reporting to the FCC "(b) (6) declined any further help with the issue." **This is factually untrue!** She agreed I did in fact confirm my willingness to continue the technical assessment and said she would request the service charge email waiver from Ms. Pierre. To date I have not had a response.

**Ms. Darlene Pierre
Executive Customer Relations
Comcast |Northeast Division
410-931-5213 | Office**

I spoke with Ms. Pierre on Jan. 26, regarding my FCC Complaint. I was very clear on three points, 1) that I would need an email waiver of service charges to have my network certified by a Comcast Technician, 2) that I would support Comcast's due diligence efforts to resolve my Internet speed issue, and 3) that any further discussion would be in the context of the Video Stream Empirical Data. I followed up that conversation with the attached letter that contained Court filings, Independent Lab Test Data, and my own data throughput results. The last paragraph of that letter states:

"As of this writing I have not received your letter confirming NO service charges will be executed for the FIFTH Comcast service representative to confirm the integrity of my home network infrastructure. Assuming the next service call will certify my network, I await a substantive dialogue addressing the above empirical data and successful resolution of this matter."

I received an automated response Wed. Jan. 27, 2016 @ 6:06 pm. **I never heard from her again.**

Comcast maintains and encourages a corporate culture of deceit and misdirection as evidenced by their FCC Complaint Response. I look forward to continuing our dialogue in hopes of achieving my only objective; to receive the services I have contracted for, and pay a premium for, fast reliable high speed Internet service.

Respectfully,

(b) (6)

(b) (6)

Mike Hennigan

From: Parul Desai
Sent: Thursday, June 18, 2015 12:45 PM
To: Ombudsperson
Subject: FW: Attempts of Extortion by AT&T

Follow Up Flag: Follow up
Flag Status: Completed

Forgot to BCC Ombudsperson

Sincerely,
Parul

-----Original Message-----

From: Ombudsperson
Sent: Thursday, June 18, 2015 12:45 PM
To: (b) (6)
Subject: RE: Attempts of Extortion by AT&T

Hi (b) (6)

Thank you for your email. Your inquiry relates to an Open Internet complaint. If you have not already done so, please file your complaint online.

You can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint:
https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Also of interest may be the following consumer guide:
<https://consumercomplaints.fcc.gov/hc/en-us/articles/204231404-Open-Internet>

Thank you.

-----Original Message-----

From: (b) (6)
Sent: Thursday, June 18, 2015 12:35 PM
To: Ombudsperson
Subject: Attempts of Extortion by AT&T

Dear Ombudsperson,

I, as many other AT&T customers grandfathered in their unlimited data cell plan are grateful for our governments efforts in investigating and recently fining ATT over their unlimited data practices. However, from what I've read on the investigation nowhere is it noted that there are customers like myself that when I had other services "bundled" with the unlimited plan; i.e. IPAD & Mifi, which was costing me over \$250 a month. Not once did I get a message similar to the one I received on 6/15/2015 - it's below.

I have always used extensive amounts of data on my cell phone.

In January 2015, I reduced my services to my iPhone only, the reduction was due to not needing other services as out of state construction project I had been on was finished.

My point being that it appears as long as AT&T was getting over \$200 a month from me however much cell data I used it was ok.

But since I reduced my bill & eliminated services do they keep sending me messages such as:

ATT Free Msg: Your data has reached 75% of the 3GB network management threshold. If you exceed 3GB this month, you may experience reduced data speeds at times and in areas that are experiencing network congestion. Wi-Fi helps you avoid reduced speeds. For more info visit att.com/datainfo or att.com/broadbandinfo

Upon reading the links included in above text message it is clear that in order for me to not have my cell service slowed down; I would have to add services or change my plan away from unlimited data.

Is that not extortion for more money?

Thank you for your time,

(b) (6)
[Redacted signature block]

Mike Hennigan

From: Will Wiquist
Sent: Wednesday, June 17, 2015 12:08 PM
To: Ombudsperson
Subject: FW: A question regarding Net Neutrality

Follow Up Flag: Follow up
Flag Status: Completed

Parul – is this the sort of thing that should go through you? It's not a media question.

From: (b) (6)
Sent: Wednesday, June 17, 2015 12:06 PM
To: Will Wiquist
Subject: A question regarding Net Neutrality

I had a concern regarding the recent net neutrality decision. Basically my ISP Comcast, on its residential service only allows a certain amount of data (300g) to flow through before incurring additional charges (\$5 per 30g extra). My question is under the new rules would this be allowed? I personally think that you should pay for access speeds and bandwidth not overall bytes of data traveling over the line. A clarification on this issue would be greatly appreciated.

Thank you for your time,

(b) (6)

Mike Hennigan

From: Ombudsperson
Sent: Wednesday, June 17, 2015 1:04 PM
To: (b) (6)
Subject: FW: A question regarding Net Neutrality

Follow Up Flag: Follow up
Flag Status: Completed

Hi (b) (6):

Thank you for your email. Your inquiry relates to an Open Internet complaint. If you have not already done so, please file your complaint online.

You can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint:
https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Also of interest may be the following consumer guide:
<https://consumercomplaints.fcc.gov/hc/en-us/articles/204231404-Open-Internet>

Thanks again.

From: (b) (6)
Sent: Wednesday, June 17, 2015 12:06 PM
To: Will Wiquist
Subject: A question regarding Net Neutrality

I had a concern regarding the recent net neutrality decision. Basically my ISP Comcast, on its residential service only allows a certain amount of data (300g) to flow through before incurring additional charges (\$5 per 30g extra). My question is under the new rules would this be allowed? I personally think that you should pay for access speeds and bandwidth not overall bytes of data traveling over the line. A clarification on this issue would be greatly appreciated.

Thank you for your time,

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Wednesday, May 04, 2016 6:06 PM
To: Ombudsperson
Subject: FW: [FCC Complaints] Re: Violation of Open Internet 2010 Transparency - Deceptive Trade Practice

Follow Up Flag: Follow up
Flag Status: Completed

Hi there Michael,

Would like to talk about potential next steps.

Best,

(b) (6)

From: FCC [mailto:consumercomplaints@fcc.gov]
Sent: Wednesday, May 04, 2016 4:08 PM
To: (b) (6)
Subject: [FCC Complaints] Re: Violation of Open Internet 2010 Transparency - Deceptive Trade Practice

##- Please type your reply above this line -##

This ticket ([#883941](#)) has been updated.

FCC Consumer Complaints (FCC Complaints)

May 4, 5:08 PM

Hi (b) (6),

Your Ticket No. 883941 was served on your carrier for its review and response.

Your carrier has provided the FCC with a response to your complaint. You should receive a copy of the response from the carrier within 7-10 days via postal mail. As such, no further action is required. Your complaint is closed.

We appreciate your submission and help in furthering the FCC's mission on behalf of consumers.

(b) (6)

Apr 19, 12:10 PM

In response to the letter dated April 5th from Rise Broadband by their escalation specialist Chris;

I believe Rise Broadband has not answered the my concern. The concern is that the price advertised on their website for "Just Internet Pricing" is false, in that it does not include mandatory fees for equipment that must be sourced from Rise Broadband that add \$7.50 per month to the cost. In addition, the "carrier recovery fee" is a fee they have also made a mandatory monthly fee (currently at \$2.27) but have not disclosed the amount of; no place in the Rise Broadband response do they disclose where the total of the mandatory amounts added to the just internet pricing may be found, even though these amounts are known by them.

Consequently, consumers can not make an informed choice because these additional charges are not transparently disclosed as part of the total monthly fee.

Transparency of price is a requirement of the 2010 Open Internet Rules, this under Part 8 of Title 47, section 8.3 which reads:

§ 8.3 Transparency.

A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings.

The remedy I am seeking is full disclosure of monthly total on the same page, or ideally displayed adjacent to the "just internet" price on their website.

I ask that this complaint be re-examined by the FCC and the response from Rise Broadband be judged for what I believe it to be, dodging the requirement for transparency and compliant advertising.

Best Regards,

(b) (6)

Attachment(s)

(b) (6) - RiseBroadband Response.docx

FCC Consumer Complaints (FCC Complaints)

Apr 5, 5:49 PM

Hi (b) (6),

Your Ticket No. 883941 was served on your carrier for its review and response.

Your carrier has provided the FCC with a response to your complaint. You should receive a copy of the response from the carrier within 7-10 days via postal mail. As such, no further action is required. Your complaint is closed.

We appreciate your submission and help in furthering the FCC's mission on behalf of consumers.

(b) (6)

Mar 29, 6:14 PM

Rise Broadband, a.k.a - SkyBeam is not fully disclosing the cost of "Just Internet" rates on their website. **see attached screen shots.

The promotional rates and extra fees that are cited only appear to apply to someone that elects a Rise Broadband Active Phone Plan, not the "Just Internet", "Non-bundled pricing". I believe this is deceptive in that there is a mandatory monthly fee of \$ 7.50 they now impose for a radio you must source from them that is not included as well as a fee they impose using terminology and placement that misleads one to believe it could be a government based charge, called "carrier recovery fee". On my bill that is an additional \$2.27 per month. Together these two non-advertised charges add 15% to my bill, and not only my bill, but the bill for over 200,000 other subscribers every month. I calculate this at \$22.8 Million of revenue per year increase.

I believe that this lack of transparency in the case of the additional charge for the radio, and the misleading term and placement of the "carrier recovery fee" is a violation of the 2010 Open Internet Rules, this under Part 8 of Title 47, section 8.3 which reads:

§ 8.3 Transparency.

A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings.

In addition this company has perpetrated this on the public while being funded by the FCC program called the Rural Broadband Experiment in the approximate amount of \$16.9 Million in the last year.

I have approached and tried to reason with this organization in the last month. They are not interested in updating their advertised price to include all the charges they know must be on the bill to reflect the true cost of service.

I am asking for your review and possible intervention to correct their advertising and billing practice, and financially punitive measures if appropriate.

Best Regards,

(b) (6)

Attachment(s)

(b) (6) Deceptive Charges on Bill.pdf

Rise Broadband March 2016 Highlighted.pdf

Rise Broadband Residential Internet Offers March 2016.pdf

RiseBroadband Active Phone Additonal Fees.pdf

This email is a service from FCC Complaints. Delivered by Zendesk

Mike Hennigan

From: Ombudsperson
Sent: Monday, October 24, 2016 11:01 AM
To: Robin McCullough
Subject: FW: [FCC Complaints] Re: Network Neutrality

Importance: High

Fyi.

From: (b) (6)
Sent: Saturday, October 22, 2016 2:55 PM
To: Consumer Complaints
Cc: Ombudsperson
Subject: RE: [FCC Complaints] Re: Network Neutrality
Importance: High

Dear FCC,

Could you (the FCC) please answer my question.

Are the corporations that block and / or charge extra for the use of internet in certain ways in compliance or not.

What is so difficult with this straight question?

I am starting to get really frustrated here.

Kindly

(b) (6)
[Redacted]

From: FCC [<mailto:consumercomplaints@fcc.gov>]
Sent: Thursday, October 20, 2016 20:22
To: [Redacted]
Subject: [FCC Complaints] Re: Network Neutrality

Please reply to this ticket.

This ticket ([#1139431](#)) has been updated.

FCC Consumer Complaints (FCC Complaints)

Oct 20, 8:22 PM (3)

The goal of the FCC's informal complaint process is to make it easy for consumers to file complaints about telecommunications services and for service providers to address those complaints. This process also helps to ensure that, even when a service provider's actions do not violate any applicable Commission rule, the provider knows how its customers feel about practices and policies that they believe are harmful to them.

In this instance, however, we regret that you were not satisfied with attempts by FCC staff to facilitate a more satisfactory resolution of the underlying issue. At this point, you might want to contact the company directly to see if you and the company can arrive at a resolution that is more acceptable to you. You will receive no further status on your complaint from FCC staff.

If you wish to pursue this further, you may contact the FCC's Open Internet Ombudsperson about your concerns.

The Ombudsperson also is available to assist consumers, businesses, and organizations with Open Internet complaints and questions. The Ombudsperson can be reached at:

ombudsperson@fcc.gov.

(b) (6)

Sep 16, 9:20 AM EDT

Dear Vickey,

This was not a complaint against Cricket, more that I want your clarification of the net neutrality rules.

Please review my initial question again and I want an answer from the FCC as to whether or not this carrier behavior is in compliance with the net neutrality regulation.

1. I want a Yes / No answer from the FCC as to whether it is in compliance with the net neutrality regulations to, on certain devices, limit the use of internet to applications running on the actual device or not.
2. Does HW manufactures like Apple also have to comply with the net neutrality regulations?
3. If yes, I want a Yes / No answer from the FCC as to whether it is in compliance with the net neutrality regulations for Apple to block the use of internet to applications running on the actual device when you use a particular SIM card.

Kindly

(b) (6)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Vicky May (FCC Complaints)

Wed 10/8/18 AM EDT

Hi (b) (6)

Your Ticket No. 1139431 was served on your carrier for its review and response.

Your carrier has provided the FCC with a response to your complaint. You should receive a copy of the response from the carrier within 7-10 days via postal mail. As such, no further action is required. Your complaint is closed.

We appreciate your submission and help in furthering the FCC's mission on behalf of consumers.

(b) (6)

Aug 10, 1:54 PM EDT

Dear Sirs,

Please answer my 2 questions to the FCC as I have requested..

Thank you

(b) (6)

Sent on the go!

(b) (6)

Aug 10, 3:16 PM EDT

Dear Sirs,

Please note that these questions need to be answered by the FCC and if Apple and / or the carriers are not compliant the FCC need to take action.

Contrary to unlocked Samsung devices for example Apple still provide the carriers with a tool to tamper with the ability to use your phones internet connection outside the phone as a wifi hotspot (utilizing the data you already paid for). (so called tethering or mobile hotspot)

A. Is Apple really compliant providing this tool to US carriers where it cannot be allowed under the Net Neutrality regulation?

B. Is it really compliant that Cricket or ATT charge extra for hotspot (see link) or force you to have a certain plan to be able to use the data included in your phone outside the phone. Do you agree?

Particularly the prepaid brands like straight talk and Cricket (ATT owned) does not allow tethering, probably because ATT does not want them to compete head to head.

This is how it works:

1. Depending on what SIM you put in an iphone a certain carrier profile is loaded, this profile can also be updated OTA. This carrier file sets data access addresses and voicemail settings but also controls whether to enable the app that check if hotspot is allowed or not.

2. With a Cricket SIM this app in the phone is enabled and it checks against a server. Hotspot does not work if you don't pay 10 USD extra each month.

Cricket charge \$10 to use the data you already pay for

<https://www.cricketwireless.com/support/plans-and-features/mobile-hotspot/customer/mobile-hotspot.html>

I am a former (b) (6) employee that is sick and tired of having to jailbreak my families iphones just to restore legacy functionality that I have been using since the end of the 90ies. The app that restores hotspot on iOS devices is called Tetherme.

Kindly

(b) (6)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Mike Hennigan

From: (b) (6)
Sent: Thursday, July 28, 2016 5:02 PM
To: Ombudsperson
Subject: Frontier Causing issues for VoIP

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

Hello,

Frontier is changing packets to/from it's FiOS customers in the greater Tampa area. We have over 20 business customers affected, which is over 1,000 end users. We, nor our customers, have been able to get anyone from Frontier to acknowledge the problem yet. If the customer calls, and they can 'get on the internet' Frontier will not troubleshoot. We have (b) (6) offices that cannot use their phones or VPNs!

This type of issue would be affecting any end user having this issue, regardless of their ITSP. One customer was told that if they switch to Frontier for voice they would not have this issue!!!

Here is a technical description:

Traffic is leaving the customer with a DSCP priority tag of 0xb8 and is arriving with tag 0x00 (tag reset). In the opposite direction, traffic sent by us with a high priority tag of 0xb8 is being discarded and never arrives at the customer.

We had this issue long ago with Verizon, and I had to get on the phone with an executive level person who finally got top level engineers involved who know exactly what they had changed and could fix it. This will break and has broken not only voice traffic, but will break (b) (6) office VPN tunnels as well.

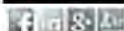
How can I escalate this with the FCC to assist in getting a resolution for the end users?

Thank you,

(b) (6)

(b) (6)

(b) (6)



Mike Hennigan

From: Barry Bahrami <Barry@CommercialNetworkServices.com>
Sent: Monday, June 22, 2015 5:32 PM
To: Ombudsperson; Jeffrey Gee
Subject: following up as requested with our complaint
Attachments: CNS-TWC-FCC-COMPLAINT-signed.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Hello,

Please find attached the complaint, FCC Ticket No. 356684.

Thank you,

(b) (6)

(b) (6)

NOTE: Please be sure and open a support ticket for all new support related issues. I do not monitor my email 24/7/365. To open a support ticket, please login to your CNS control panel and click "Help Desk" at the top, then "Submit Ticket". We are there to help you 24/7/365. Many questions are already answered in our Knowledge Base and Trouble Shooter.

From: Ombudsperson [mailto:Ombudsperson@fcc.gov]
Sent: Monday, June 22, 2015 1:40 PM
To: Barry Bahrami
Subject: RE: Help with preparing our net neutrality complaint

Hi Mr. (b) (6)

Even as a business, you can use the below link and select "Open Internet" as the " Internet issue" for which you are filing the informal complaint:

https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Also, since you are a filing on behalf of a business, in addition to filing on-line, you may send a copy of the complaint to Jeffrey.gee@fcc.gov.

Thanks!

Sincerely,
Parul

From: (b) (6)
Sent: Friday, June 19, 2015 2:53 PM
To: Ombudsperson
Subject: Help with preparing our net neutrality complaint

Hello,

As I'm sure you have heard, I am preparing to send you two net neutrality violation complaints against Time Warner. One for the peering issue and another for consumer disclosure violations (mostly) and essentially creating a paid fast lane by way of your management policy.

After reading the net neutrality order many times over, I have some faith the commission and I will be on the same page. And so I don't think a formal complaint will really be necessary. Can you please tell me if it is permitted for an edge provider to file an informal complaint? And how? Your site says for consumers.

Thank you,

(b) (6)
[Redacted signature block]

NOTE: Please be sure and open a support ticket for all new support related issues. I do not monitor my email 24/7/365. To open a support ticket, please login to your CNS control panel and click "Help Desk" at the top, then "Submit Ticket". We are there to help you 24/7/365. Many questions are already answered in our Knowledge Base and Trouble Shooter.

Mike Hennigan

From: (b) (6)
Sent: Wednesday, January 27, 2016 6:09 PM
To: Ombudsperson
Subject: FOLLOW UP CASE # 757854 (b) (6) V. COMCAST

Follow Up Flag: Follow up
Flag Status: Completed

Mr. Jensen;

I sent you a copy of a response letter sent to Ms. Darlene Pierre from Comcast today with a fully developed argument and extensive supporting documentation. This follow up letter and materials may be used to supplant my previous mailings regarding this matter. If I can provide any additional information or evidence please let me know,

Respectfully,

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Friday, December 02, 2016 6:11 PM
To: Ombudsperson
Subject: Why Data Caps hurt us

Follow Up Flag: Follow up
Flag Status: Completed

I just wanted to take the time to write you my views and opinions about Comcast's new 1TB data cap it is pushing.

First off I believe this is just a ploy for them to further punish people who get their media via digital means (Netflix and amazon). These caps punish users of these services especially ones that have 4k TV's and can take advantage of that content (Comcast has been promising but still does not offer 4k content after 2 years). Now lets look at a home like mine. I have 2 adults and 2 children so with TV's streaming, games being played, mobile devices I can easily pass the cap without an effort and have actually have to cut my Netflix usage to just regular HD content and limiting how much it is used and despite this I still went over the cap last month. I called Comcast concerned and was told to either fork up 50 more a month for unlimited data (which doubles the internet portion of my bill), or to basically go with another provider (not an option in my area). I asked about cancelling my cable service and keeping internet in order to keep my bill about the same, but was told my internet price would go up \$40 if I dropped my bundle which would actually make my bill much higher than it is now! I do subscribe and pay for a higher tier speed package, which I purchased because of the household size and needing that bandwidth, now I am being punished for that.

Most of our media, games, and information are digitally delivered these days. This cap hurts my ability to access things that Comcast doesn't sell (their own digital content). I am surprised Netflix and amazon are not up in arms, because in order to use them as I would need I also need to invest another 600 dollars a year into the unlimited usage.

I feel Comcast should either make the caps larger based on the tier or make the unlimited usage price reasonable. I have also noticed that the meter they use doesn't seem to reflect the same amount of usage my router does as well. So I would be interested on knowing how this meter is validated for accuracy.

Let me be honest data usage is going to increase exponentially in the future and data caps do not benefit the customers. They only benefit the ISP who are using these caps to either bully customers into using their cable services or to bring in extra money from cord cutters. From the little bit of looking I have done the only ISP's with caps are the ones that do offer media services as well.

I just ask that the FCC look in to this further. Help protect the consumers, because right now the ISP make the rules and while this is happening everyone but those ISP's lose. The internet should be free, not limited by overage fees.

Thanks,

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Thursday, January 12, 2017 3:49 PM
To: v8571@att.com
Cc: Ombudsperson
Subject: Was Trying to Upgrade to Uverse

Follow Up Flag: Follow up
Flag Status: Completed

(b) (6)

Rita Desena, the person you referred me to, promised me in my conversation with her on November 15, 2016, that she was following up that conversation with a letter from the President's Office that I discussed with her. When I had not received that letter or heard from her, on December 9, 2016, I called and left a voice mail message for her letting her know that I have not received what she had promised me. As of today I still have not received that letter or heard from her or from anyone else at ATT regarding that letter or anything else regarding this matter. This has been an extremely upsetting experience.

I am done wasting any more of my time on this matter, having first filed a Complaint with the FCC, spoken with Omsbudsman Michael Janson, having spoken with you and then having spoken with Rita Desena. I wanted to let all of you know that there is definitely a really terrible communication disconnect here.

Thank you for your effort but I am now really looking forward to ending my very long relationship with ATT because it has shown very clearly that it just doesn't care about its customers. Please share this e mail with Michael Janson and Rita Desena and please don't call me or ask them or anyone else at ATT to contact me because I am no longer interested.

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Thursday, December 08, 2016 9:30 PM
To: Ombudsperson
Subject: Verizon

Follow Up Flag: Follow up
Flag Status: Completed

Hello:

I have Verizon DSL at my home at (b) (6). The service cuts out multiple times a day. Verizon says it is somehow my fault. I would like to know how I am causing this.
My account number is:

(b) (6)

(b) (6)

Thank you,

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Wednesday, November 18, 2015 6:31 PM
To: Ombudsperson
Subject: Verizon Wireless Data Throttling.

Follow Up Flag: Follow up
Flag Status: Completed

To Whom It May Concern:

I am on an enterprise data contract with Verizon Wireless and I am being throttled. I currently have an Unlimited Data plan. Once I hit 5GBs of data Verizon will throttle my phone where it is unusable for data connections. I am not the account owner and I have no control over the plan. I called Verizon and asked them about being throttled. I mentioned Net Neutrality, however they told me that Net Neutrality does not cover Enterprise plans. Is this information correct, or is Verizon not following Net Neutrality? I am currently awaiting our IT Telcom people to contact me (which may be as long as Nov 26th). Verizon also informed me that once my billing cycle is over on the 23rd that my bandwidth throttle will be lifted until I hit 5GBs on my unlimited data plan.

Thanks,

(b) (6)

[Redacted signature block]

The information contained in this message may be confidential and legally protected under applicable law. The message is intended solely for the addressee(s). If you are not the intended recipient, you are hereby notified that any use, forwarding, dissemination, or reproduction of this message is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact the sender by return e-mail and destroy all copies of the original message.

Mike Hennigan

From: (b) (6)
Sent: Monday, November 16, 2015 6:37 PM
To: Ombudsperson
Subject: Verizon internet

Follow Up Flag: Follow up
Flag Status: Completed

I have a problem with Verizon internet access. Approximately from the hours of 1700 to 2300 daily I have no internet access. This block of time is the only time I have to do what I need to do. What are my options?

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Thursday, October 27, 2016 10:00 AM
To: Ombudsperson
Subject: URGENT! Email Acknowledgement from FCC Open Internet Ombudsperson

Follow Up Flag: Follow up
Flag Status: Completed

I have existing complaints open about T-mobile fraudulent marketing of unlimited service, I am currently only receiving 2G service but have been paying for 4G, the network does not work for me and the device drops calls and never shows 4G. I have filed many tickets with T-Mobile but been provided no resolution and am repeatedly asked to pay for 4G service and never get it. Currently T-Mobile is not providing service to me so I cannot get phone calls the number I have has is (b) (6) (pre-paid) because of the same problems with postpaid (b) (6) I am in a very difficult situation and need a resolution only the FCC can provide and please provide a method to communicate as I can only get email and not voice service.

Respectfully,

(b) (6)

On 05/03/2016 05:27 PM, FCC Ombudsperson wrote:

##- Please type your reply above this line -##

Thank you for contacting the Federal Communication Commission's (FCC) Open Internet Ombudsperson. This is an automatic response to your email.

This Ombudsperson assists the public with concerns and inquiries related to the FCC's Open Internet rules. If your concern is unrelated to the Open Internet, you should contact the FCC's Consumer Help Center for assistance. You may contact the Consumer Help Center here:
<https://consumercomplaints.fcc.gov>.

The Ombudsperson receives a significant number of emails related to Open Internet concerns, and responds to emails as time permits.

In the meanwhile, if you have an Open Internet related concern and have not already filed an inquiry or complaint with the FCC's Consumer Help Center, you may do so here:
<https://consumercomplaints.fcc.gov>.

Additionally, you may access the FCC's consumer guide on the Open Internet here:
<https://www.fcc.gov/consumers/guides/open-internet>.

Please note: If your concern involves an emergency situation, possible criminal activity, or any potential danger to personal safety, you should contact local law enforcement immediately.

Thank you.

This email is a service from FCC Complaints. Delivered by [Zendesk](#)

Mike Hennigan

From: [REDACTED]
Sent: Tuesday, May 17, 2016 1:17 PM
To: Ombudsperson
Subject: Verizon "enhanced high speed Internet"

Follow Up Flag: Follow up
Flag Status: Completed

On 4/8/16, I filed a FCC complaint (ID # 901753 Verizon "high-speed" Internet) indicating that I have been paying for Verizon "high Speed Internet enhanced" for years and was informed on Saturday, 4/2/16 that my internet speed is 3 megabits. This is not considered high speed internet according to your website (recently increased from 4 to 25 megabits.

It is not transparent for Verizon to call speeds of 3 megabits per second high speed Internet let alone "enhanced high speed Internet"

Although Verizon sent a letter to the FCC, I have not received a letter. The FCC closed my complaint after receiving information from Verizon and 2 e-mails sent to the FCC have not been responded to.

Thank you,

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Wednesday, March 22, 2017 10:48 AM
To: Ombudsperson
Subject: Update

I am hoping this reaches Michael. This is (b) (6). We haven't spoken since last year regarding our internet issues in Winlock but I believe some other complaints have been filed from the 98596 zip code since then.

I have been meaning to contact you for quite some time but I ended up getting in another car accident prior to the holiday. My group here in Winlock was finally able to meet and re-assess where we're at with our battle against CenturyLink. Have there been any major changes at the FCC as a result of the current political climate? We have spoken before about all the individual complaints and that the next step for us would be to file a mediation complaint. We have already begun that process of drafting a complaint. Also, we were able to secure the assistance of an attorney that would be willing to work with us during that process. Our internet committee in Winlock has read information about the FCC and the director and was concerned that if we go down this path, that we may not get the assistance or enforcement that we're hoping for. Should we be concerned with that or just push forward? Also, we are trying to get confirmation but one of the Lewis County Commissioners informed a member of the group that Century Link was going to be investing in Winlock's infrastructure but nobody from CenturyLink will confirm this so we feel we need to push forward with mediation in order to hold them accountable for their violations of the open internet order.

In the last couple of days, we had one of our members report an issue with their service with CenturyLink. The Service person told them before he left that if they called again, he would start billing the \$90 every time they picked up the phone to request a service call. Since the issue is not with the homeowner and actually with CenturyLink's line of service, they cannot bill the customer and it appears this could be not only viewed as a threat but also as retaliation. This customer, (b) (6) and (b) (6), have already had service cut off in the past and have filed complaints with your department. Last year, Earthlink who is using CenturyLink lines and service people, actually cut off (b) (6)'s service because they were tired of dealing with them. This episode has really got our group motivated once again as we're being pushed around by this big corporation and all we're trying to do is get the service we're paying for. Especially now that CenturyLink is running commercials about how they are connecting small towns like ours to the big world out there by enhancing their service offerings and investing in infrastructure. So far, we've seen none of that.

I have your old email about mediation and we're reviewing it and drafting a complaint. If you have any other feedback, we'd appreciate it.

Thank You,

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Thursday, October 27, 2016 10:00 AM
To: Ombudsperson
Subject: URGENT! Email Acknowledgement from FCC Open Internet Ombudsperson

Follow Up Flag: Follow up
Flag Status: Completed

I have existing complaints open about T-mobile fraudulent marketing of unlimited service, I am currently only receiving 2G service but have been paying for 4G, the network does not work for me and the device drops calls and never shows 4G. I have filed many tickets with T-Mobile but been provided no resolution and am repeatedly asked to pay for 4G service and never get it. Currently T-Mobile is not providing service to me so I cannot get phone calls the number I have has is (b) (6) (pre-paid) because of the same problems with postpaid (b) (6) I am in a very difficult situation and need a resolution only the FCC can provide and please provide a method to communicate as I can only get email and not voice service.

Respectfully,

(b) (6)

On 05/03/2016 05:27 PM, FCC Ombudsperson wrote:

** * * Please type your reply above this line -# #*

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In the meanwhile, if you have an Open Internet related concern and have not already filed an inquiry or complaint with the FCC's Consumer Help Center, you may do so here:
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Additionally, you may access the FCC's consumer guide on the Open Internet here:
<https://www.fcc.gov/consumers/guides/open-internet>.

Please note: If your concern involves an emergency situation, possible criminal activity, or any potential danger to personal safety, you should contact local law enforcement immediately.

Thank you.

This email is a service from FCC Complaints. Delivered by [Zendesk](#)

Mike Hennigan

From: (b) (6)
Sent: Sunday, May 22, 2016 1:29 PM
To: Ombudsperson
Subject: Unanswered Complaint

Follow Up Flag: Follow up
Flag Status: Completed

Dear Ombudsperson

Over a year ago I filed a throttling complaint with the FCC (I am not longer able to identify the docket number) and received a response in which it was stated that ATT would respond directly to me. Instead, I have since received another and more recent warning that I if I exceeded an arbitrary limit on my I-Phone I would have my access permanently slowed. When I signed up with ATT it was on the basis of unlimited lifetime internet access.

My phone number is (b) (6) .

I urge the FCC to insist upon compliance with the regulations on which spectrum is licensed – as well as with the clear directives which in my case were completely ignored.

Mike Hennigan

From: Ombudsperson
Sent: Thursday, June 23, 2016 4:38 PM
To: (b) (6)
Subject: Transparency rule / request for mediation
Attachments: Open-Internet-Transparency-Rule.pdf; FCC-15-24A1_Open_Internet_Order.pdf

(b) (6)

It was good talking with you earlier this week.

As I understand it, you are concerned about the Internet service that Century Link is offering in Yacolt, Washington. In connection with this issue, you are concerned that CenturyLink may not be adequately disclosing the level of performance, particularly with regard to speed and reliability during evening hours, that it can provide to Yacolt residents and that this lack of disclosure may violate our open Internet transparency rule.

Initially, let me say that the FCC is committed to promoting broadband deployment, competition, and consumer choice. We have a number of proceedings that advance these goals and we provide financial support to encourage increased deployment of broadband in underserved areas. That being said, broadband deployment is not required under our Open Internet rules.

Our Open Internet rules, however, require broadband providers to disclose accurate information about the services they offer consumers. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- **“A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings.”**

For your reference on the transparency rule, I have attached two pdfs to this email: (1) an FCC consumer guide on the transparency rule, and (2) the Open Internet Order, which the Commission adopted in February 2015. See, specifically, paragraphs 23-24, and 154-185 of the Order for discussions of the transparency rule.

As we discussed, the informal complaint process may not lead to further progress in addressing your concerns and staff-assisted mediation of your complaint may be a productive avenue. Here is the information on how to request a staff-assisted mediation with our Market Disputes and Resolutions Division (MDRD):

- To request FCC-staff assisted mediation, the complaining party can submit a letter to the Chief of the Market Disputes Resolution Division, Christopher Killion, FCC, 445 12th Street SW, Washington, DC 20554, describing the alleged violation of our rules. There is no fee associated with submitting a mediation request. The letter should include the name of the provider, a statement of relevant facts, an explanation of why you think our rules have been broken, and the relief that you are seeking.

The mediation request will likely be shared with your provider, so it should be a formal letter that makes clear how you think our rules have been violated, with citation to the relevant rules and quotation of our rules as appropriate, and what would be an appropriate resolution of this issue in your view. You are welcome to submit supporting evidence.

You can email your mediation request directly to Christopher Killion, the Division Chief of MDRD, at Christopher.Killion@fcc.gov. After you have emailed your request to MDRD, please forward me a copy of the email so that I can make sure that it is handled properly.

If you have any additional questions now or after you've been in touch with MDRD, feel free to be in touch with me.

Best –
Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: (b) (6)
Sent: Thursday, June 09, 2016 5:28 PM
To: Ombudsperson
Subject: Time Warner Cable Internet Speed not what is claimed...

Follow Up Flag: Follow up
Flag Status: Completed

A news report from yesterday, June 8, 2016 re: a probe of Time Warner Cable: Please Read the story in the link...

<http://www.msn.com/en-us/money/companies/probe-calls-time-warner-cables-internet-speeds-abysmal/ar-AAgNWF4?li=BBnbfcN>

INTERNET SPEED IS NOT WHAT IS CLAIMED BY TIME WARNER CABLE

- (b) (6)

My internet speed has been slower than what I've been paying for...for over 5 years, with no improvement in speed despite all of Time Warner Cable's promises. I should have 100 Mbps download speed. Instead, I have somewhere in the range of 20-40 Mbps. This has been going on for years! TWC's very own tech that visited my home said that it is TWC's problem with their servers in my area. I have his business card and phone number verifying all of that info. He found no problem with my modem or computer. Many technicians have visited without finding a solution. I am filing a complaint now, after two internet chat's and a phone conversation (yesterday and today) with TWC. My internet has gotten even slower lately. 03-07-16

- **FCC Consumer Complaints** March 31, 2016 13:03

Hi (b) (6),

Your Ticket No. 852069 was served on your carrier for its review and response.

Your carrier has provided the FCC with a response to your complaint. You should receive a copy of the response from the carrier within 7-10 days via postal mail. As such, no further action is required. Your complaint is closed.

We appreciate your submission and help in furthering the FCC's mission on behalf of consumers.

(b) (6)

My complaint is closed? Why? Because TWC is laying the blame on my computer?... which is fully equipped to deal with the speeds I'm supposed to be getting. This is like letting TWC be the judge and jury with no rebuttal allowed.

I'm just getting started. Please ask TWC to explain why I'm getting 11 Mbps download speed on a different computer...not even close to 100 Mbps. It's an up to date Mac laptop, wireless...which should certainly be more than 11 Mbps even wireless.

The technician didn't prove anything other than they brought in a laptop on which the speed, they said, checked out...I have requested the specs of that particular laptop but have not heard from TWC other than "you should be getting a call". Who knows what is going on with that particular laptop from TWC, I don't.

What "internet speed plan" was implemented on that computer that was used to "prove" my computer is at fault? Ultimate 200? Ultimate 300? Do tell.

Here's what I do know:

I have a capable computer (gigabit network card) and slow internet speed.

TWC's own tech said in the past that it was a problem with the servers in my area, not my computer.

If TWC believes the problem lies with my computer, why can't they tell me what that problem is?

Why was the speed of my computer blazing fast when TWC did the switch over to fiber optic cable last year? For one week during the transition I had blazing fast speed, then it slowed down again. What's up there?

Why are TWC speed test and Speedtest.net speed test two vastly different results? I'll tell you why...because Speedtest.net reads a peak for a couple of seconds only and is pipelined through TWC as priority traffic, which is why TWC always is pushing to use Speedtest.net for testing. TWC own speed test is always a slower result.

I think there is provisioning going on in my area and I'm going to get to the bottom of it. It's unfortunate that more consumers don't get involved in what is happening here.

When I purchase a brand new shiny computer it had better get all the speed I'm paying for when I test the speed on it, or the sh#t is going to hit the fan.

Thanks for listening. I am carrying on my search for answers, and my complaint.

- **FCC Consumer Complaints** April 28, 2016 07:15

Hi (b) (6),

Your Ticket No. 852069 was served on your carrier for its review and response.

Your carrier has provided the FCC with a response to your complaint. You should receive a copy of the response from the carrier within 7-10 days via postal mail. As such, no further action is required. Your complaint is closed.

We appreciate your submission and help in furthering the FCC's mission on behalf of consumers.

• (b) (6) [REDACTED]

I received Time Warner Cable's (TWC) rebuttal which I will address line by line here....

TWC-As stated in our original response, we have verified that Mr. Cerar is receiving the speeds to which he subscribes.

Mr. Cerar-You have verified ONLY that you are in possession of a computer that works on my connection when you connect it. As stated in my previous complaint..."The technician didn't prove anything other than they brought in a laptop on which the speed, they said, checked out...I have requested the specs of that particular laptop but have not heard from TWC other than "you should be getting a call". Who knows what is going on with that particular laptop from TWC, I don't.

What "internet speed plan" was implemented on that computer that was used to "prove" my computer is at fault? Ultimate 200? Ultimate 300? Do tell" I have yet to get the specs of that particular computer although I was promised a phone call with the information on a number of occasions. Someone is hiding something.

TWC-TWC never guarantees a specific speed as various factors can affect performance at any given moment, including the number devices and the use of a WiFi network.

(b) (6) -We tested with 1 device attached at time directly via Ethernet cable through my modem. No WiFi network was involved in the testing. If TWC is saying my internet plan is 100 Mbps but I'm only getting 30 Mbps average then that's a problem. I'd be happy if it was even occasionally 75-80 Mbps, sadly it is not even close.

TWC-Furthermore, we have no reports of issues from (b) (6)'s neighbors with their service.

(b) (6) -Some people don't care, or don't have the time to complain even when they know they're not getting the service that they're paying for. Furthermore, my neighbors would have to have the exact same internet plan and equipment as me in order to compare my slow internet speeds to theirs.

Once again TWC has ignored my questions and deflected my comments. So, once again I ask the following to be addressed with some direct answers and information:

I am requesting the specifications of the laptop computer that was used to "prove" that I am getting my appropriate internet speeds...including the following items:

- 1 Make and model # of the laptop?
- 2 Windows or Mac machine?
- 3 Operating System and version #?
- 4 Network card and model #?
- 5 How much RAM in the laptop?
- 6 What was the internet plan in effect on the laptop? Ultimate 100, 200, 300, T1?

And furthermore...

I have a capable computer (gigabit network card) and slow internet speed. TWC's own tech said in the past that it was a problem with the servers in my area, not my computer.

If TWC believes the problem lies with my computer, why can't they tell me what that problem is?

Why was the speed of my computer blazing fast when TWC did the switch over to fiber optic cable last year? For one week during the transition I had blazing fast speed, then it slowed down again. Ideas?

Why are TWC speed test and Speedtest.net speed test two vastly different results? I'll tell you why...because Speedtest.net reads a peak for a couple of seconds only and is pipelined through TWC as priority traffic, which is why TWC always is pushing to use Speedtest.net for testing. TWC own speed test is always a slower result.

I live right around the corner from CBS Radford Studios. I'm sure they have their own servers and are using a large amount of the available bandwidth in my area. What is the impact of that factor?

Thank you,

(b) (6)

May 3, 2016

• **FCC Consumer Complaints** Today at 13:57

Hi (b) (6)

The goal of the FCC's informal complaint process is to make it easy for consumers to file complaints about telecommunications services and for service providers to address those complaints. This process also helps to ensure that, even when a service provider's actions do not violate any applicable Commission rule, the provider knows how its customers feel about practices and policies that they believe are harmful to them.

In this instance, however, we regret that you were not satisfied with attempts by FCC staff to facilitate a more satisfactory resolution of the underlying issue. At this point, you might want to contact the company directly to see if you and the company can arrive at a resolution that is more acceptable to you. You will receive no further status on your complaint from FCC staff.

If you wish to pursue this further, you may contact the FCC's Open Internet Ombudsperson about your concerns. The Ombudsperson also is available to assist consumers, businesses, and organizations with Open Internet complaints and questions. The Ombudsperson can be reached at: ombudsperson@fcc.gov.

Mike Hennigan

From: [REDACTED]
Sent: Thursday, November 12, 2015 7:33 PM
To: Ombudsperson
Subject: Ticket Closed - RE: Verizon blocking accounts - RE: Whitelist Request for IP Address 69.64.74.76

Follow Up Flag: Follow up
Flag Status: Completed

Dear Ombudsperson,

Your ticket - RE: Verizon blocking accounts - RE: Whitelist Request for IP Address 69.64.74.76 - has been closed.

We hope that the ticket was resolved to your satisfaction. If you feel that the ticket should not be closed or if the ticket has not been resolved, please reply to this email.

Sincerely,
Look.Net, LC Support Team
<https://looknet.freshdesk.com/helpdesk/tickets/294>

Look.Net, LC powered by Freshdesk 294

Mike Hennigan

From: Ombudsperson
Sent: Monday, April 18, 2016 3:23 PM
To: (b) (6)
Subject: Ticket Nos. 360244 and 795253

(b) (6) –

Following up our brief call today, I am going to look at your informal complaints and I'll pencil in time to discuss them with you this Wednesday at 2:00 pm eastern/1:00 pm central.

Best –
Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: (b) (6)
Sent: Friday, June 03, 2016 1:38 PM
To: Ombudsperson
Subject: Ticket No. 948570
Attachments: ATT00001.txt

Follow Up Flag: Follow up
Flag Status: Completed

I filed a complaint against Earthlink back on May 3. They have sold us bandwidth that is already oversold by CenturyLink and have promised us speeds up to 1.5 Mbps. By law we are supposed to get within 80% of promised speeds. We get on average 30% of that. I received a response on May 11 stating that a response was received from Earthlink and that I would receive a copy of it within 7-10 days. The complaint was also marked as Solved. This, however, is not solved and I have not received a copy of the response and it has now been 21 days. Earthlink was unable to resolve the speed issue as it is not their issue, but CenturyLink's. They had a CenturyLink tech come out the next day to check the lines. The tech showed up, tested nothing, told us they are aware of the problem, literally laughed in our face, and said the company has no plans to upgrade the lines or fix the issues. I have not heard back from Earthlink to follow up with us after that visit, I'm attaching another speed log. As you can see lately we have been getting less than 0.2 Mbps. This is unacceptable. I know the issue is with CenturyLink, but as far as I know I cannot file a complaint against them as my account is held with Earthlink. This is a well know issue with CenturyLink in our area and many others. They willingly oversell and max out the bandwidth to the point where they literally cannot sell any more space. I can't even get my account moved from Earthlink to CenturyLink without losing my internet all together and not being able to get it back. Many people in my area can not get internet at all. In 2016! Most of us that do suffer from speeds so slow it's borderline non functional. I tried multiple times to reply to the ticket to update it with my response, or lack thereof, but it won't update. And this is a direct wired connection to our modem, not over wifi. The speed of this "broadband" is just too slow. Matter of fact, I've been trying to get this message to send for 3 days now to no avail. It appears the internet is too slow to send the 2MB pdf of my speed tests. It appears to time out after so many minutes. I've even been trying to upload a zipped version of the file that is on 618KB to Dropbox so I can send this over 4G from my phone, but even the smaller file won't upload! That's how bad our internet is. Please help!!!

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Monday, August 22, 2016 2:43 PM
To: Ombudsperson
Subject: Ticket 1043015 ATT Complaint

Follow Up Flag: Follow up
Flag Status: Completed

Mr. Janson:

Please call me as I have some questions about this matter. I have been unable to reach you at the telephone numbers you provided. My number is (b) (6). Thank you.

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Monday, June 22, 2015 7:29 PM
To: Ombudsperson
Subject: The Guardian: Major internet providers slowing traffic speeds for thousands across US

Follow Up Flag: Follow up
Flag Status: Completed

Net neutrality ombudsman,

Below is an article that was recently published by the guardian about a study recently done that process ISP's are showing data accepted the country. Fortunately my ISP is not partiality in this patches but others are. Is there anything y'all can do, such as investigate the matter? Thanks.

(b) (6)

The Guardian: Major internet providers slowing traffic speeds for thousands across US.
<http://google.com/newsstand/s/CBIw3uCj6SE>

--

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Friday, June 19, 2015 12:52 PM
To: Ombudsperson
Subject: Thanks

Follow Up Flag: Follow up
Flag Status: Completed

Can my internet provider force me to pay landline (dial tone) in order to receive Internet service.

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Wednesday, July 27, 2016 6:17 PM
To: Ombudsperson
Cc: ornovscot@optonline.net
Subject: Thank you

Follow Up Flag: Follow up
Flag Status: Completed

Thank you again.

Concerning the recent interruption in service, I don't know whether this is related to this, but today I noticed that when I pinged three different sites, I found that the upstream speed has been reduced from a little over 6 mbps to about 4 mbps.

This makes it difficult for me to relay my internet radio broadcast streams to my dedicated server.

Thank you.

(b) (6)

On Tue, Jul 19, 2016 at 05:13 PM, Ombudsperson wrote:

> Mr. (b) (6) -
> Thank you for bringing this issue to our attention and providing this
> additional information. This type of information is helpful to us as
> we implement our Open Internet rules.
>
> | FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202)
> 418-1155 |
>
>
> -----Original Message-----
> From: (b) (6) Sent: Friday,
> July 15, 2016 1:23 PM
> To: Ombudsperson Cc: ornovscot@optonline.net
> Subject: Thank you
>
> Ombudsperson
> FCC
>
> To Whom It May Concern:
>
> I would like to take this occasion to thank you for receiving and
> considering my thoughts about net neutrality as well as those of my
> experiences as an internet broadcaster.

>
> At about 12:20 AM (Pacific-Oregon time), Charter's internet service
> became unavailable. This outage lasted until about 1:35 AM
> (Pacific-Oregon time).
>
> When I called Charter I was told that because there are more customers
> than the system could cope with, Charter had to engage in this outage.
>
> In my opinion, this is an example of a company that has not invested
> enough in infrastructure and that has made what I regard as false
> claims in a number of advertisements.
>
> Yet, some time ago Charter petitioned the FCC to be allowed to
> purchase AOL-Time Warner. This was so even though about a year ago
> Charter had a debt to capital ratio of about 1,500%, according to
> Investors Business Daily and even though it had to take on more debt
> in order to complete the purchase of AOL-Time Warner.
>
> And, as I mentioned in previous correspondence, Charter refused to
> install an all fiber optics connection to my building, even though I
> communicated to Charter on many occasions that I was willing to pay
> extra for such a connection and that I was willing to sign a two-year
> contract.
>
> Only after I had contacted the FCC, after waiting many months for an
> answer, did Charter finally convey to me that Charter would not
> install such a connection to my building, even though it is quite
> close to a business district..
>
> For your reference, I am enclosing a copy of a Ping Plotter graph that
> shows what happened to Charter's service early this morning.
>
> In closing, given Charter's high level of debt and, in my opinion, its
> poor level of service, I am sorry that the FCC granted this company
> permission to buy and to take on the responsibility of owing AOL-Time
> Warner.
>
> Thank you for your consideration.
>
>
> Respectfully,
>
> (b) (6)

Mike Hennigan

From: (b) (6)
Sent: Friday, August 26, 2016 5:14 PM
To: Ombudsperson
Cc: ornovscot@optonline.net
Subject: Thank you

Follow Up Flag: Follow up
Flag Status: Completed

Hi, Michael

I am sorry it took me so long to reply to you.

The past so many weeks have been busy for me.

I would hope that the FCC would encourage companies like Charter to provide better upstream capacity, as not all customers are interested in greater amounts of downstream capacity relative to upstream capacity.

Concerning conditions, at times I have found it difficult to maintain reliable relays streams to dedicated servers using Charter's upstream.

Small internet-related media are affected by such conditions.

This is so, in particular, when there are more people using the internet, for example, when Lincoln City, which has a tourist-oriented economy, has a surge in population of about 20,000 to 30,000 people during various weekends, internet connections either are interrupted or slow down in such a way that there are more instances of packet loss.

In addition, asking for an all fiber optics connection is not much of an option, as Charter estimates indicate prohibitively expensive monthly fees and the like.

For example, given a 36 month contract, for an upstream capacity of 30 Mbps, Charter would charge about \$875 per month.

In general, it is my hope that the FCC will encourage companies like Charter to improve their upstream capacities, especially as more people are streaming media and as there are small internet-only media that use such capacities.

Thank you.

(b) (6)

On Thu, Jul 28, 2016 at 09:44 AM, Ombudsperson wrote:

- > (b) (6)
- > Are you available for a phone call today?
- > Best - Michael
- >
- >

>
> -----Original Message-----
> From: (b) (6) Sent:
> Wednesday, July 27, 2016 6:17 PM
> To: Ombudsperson Cc: ornovscot@optonline.net
> Subject: Thank you
>
> Thank you again.
>
> Concerning the recent interruption in service, I don't know whether
> this is related to this, but today I noticed that when I pinged three
> different sites, I found that the upstream speed has been reduced from
> a little over 6 mbps to about 4 mbps.
>
> This makes it difficult for me to relay my internet radio broadcast
> streams to my dedicated server.
>
> Thank you.
>
> (b) (6)
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>
> On Tue, Jul 19, 2016 at 05:13 PM, Ombudsperson wrote:
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>> Mr. (b) (6)
>> Thank you for bringing this issue to our attention and providing this
>> additional information. This type of information is helpful to us as
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>> | FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202)
>> 418-1155 |
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>> -----Original Message-----
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>> July 15, 2016 1:23 PM
>> To: Ombudsperson Cc: ornovscot@optonline.net
>> Subject: Thank you
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>> Ombudsperson
>> FCC
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>> To Whom It May Concern:
>>
>> I would like to take this occasion to thank you for receiving and
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>> became unavailable. This outage lasted until about 1:35 AM
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>> customers than the system could cope with, Charter had to engage in
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>> In my opinion, this is an example of a company that has not invested
>> enough in infrastructure and that has made what I regard as false
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>> purchase AOL-Time Warner. This was so even though about a year ago
>> Charter had a debt to capital ratio of about 1,500%, according to
>> Investors Business Daily and even though it had to take on more debt
>> in order to complete the purchase of AOL-Time Warner.
>>
>> And, as I mentioned in previous correspondence, Charter refused to
>> install an all fiber optics connection to my building, even though I
>> communicated to Charter on many occasions that I was willing to pay
>> extra for such a connection and that I was willing to sign a two-year
>> contract.
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>> Only after I had contacted the FCC, after waiting many months for an
>> answer, did Charter finally convey to me that Charter would not
>> install such a connection to my building, even though it is quite
>> close to a business district..
>>
>> For your reference, I am enclosing a copy of a Ping Plotter graph
>> that shows what happened to Charter's service early this morning.
>>
>> In closing, given Charter's high level of debt and, in my opinion,
>> its poor level of service, I am sorry that the FCC granted this
>> company permission to buy and to take on the responsibility of owing
>> AOL-Time Warner.
>>
>> Thank you for your consideration.
>>
>>
>> Respectfully,
>>
>> (b) (6)
>>
>
>

Mike Hennigan

From: (b) (6)
Sent: Tuesday, October 04, 2016 6:39 PM
To: Ombudsperson
Subject: Tds throtleing internet

Follow Up Flag: Follow up
Flag Status: Completed

I have a 1mb connection and im only geting 800kb

Get [Outlook for Android](#)

Mike Hennigan

From: Jeff Kohler <jkohler@risebroadband.com>
Sent: Tuesday, May 24, 2016 2:11 PM
To: Ombudsperson
Subject: Rise Website Disclosure mods

Follow Up Flag: Follow up
Flag Status: Completed

Michael: we have completed some updating on our website to enhance the fee transparency. Namely:

1. Link for the Additional Fee Disclosure Statement – on the legal page listed under Residential Policies and Agreements section.
2. PDF of Additional Fee Disclosure Statement
3. Updated Open Internet Statement with link to Additional Fee Disclosure Statement
4. Link to Additional Fee Disclosure Statement on all landing pages
5. Link to Additional Fee Disclosure Statement below all offers generated by the home page address lookup tool. Example of website offer below with hyperlink titled "View Additional Fee Disclosure Statement".

all now. Offer ends 6/30/16.

Breakout	Preferred	Economy
\$62⁹⁵/month 20Mb	\$52⁹⁵/month 10Mb	\$42⁹⁵/month 5Mb
Recommended for large families, power users and work from home: <ul style="list-style-type: none">• Multiple HD Video Streams• Single 4K HD Video Stream<ul style="list-style-type: none">◦ Online Video◦ Movies◦ Video Chat• Best for Gaming (4Mb upload)	Recommended for families, students and heavy users: <ul style="list-style-type: none">• Multiple Video Streams• Single HD Video Stream<ul style="list-style-type: none">◦ Online Video◦ Movies◦ Video Chat• Better for Gaming (2Mb upload)	Recommended for light users: <ul style="list-style-type: none">• Single Video Stream<ul style="list-style-type: none">◦ Online Video◦ Movies◦ Video Chat
Add Digital Phone (ActivePhone™) for \$19.95 per month.	Add Digital Phone (ActivePhone™) for \$19.95 per month.	Add Digital Phone (ActivePhone™) for \$19.95 per month.

[View Additional Fee Disclosure Statement](#)

Thank you for your input and please let me know if you have other thoughts or suggestions.

Jeff

Jeff Kohler
Co-Founder & Chief Development Officer
JAB Wireless, Inc. d/b/a Rise Broadband
61 Inverness Drive East Suite 250
Englewood, Colorado 80112
p: 303.945.7599
f: 303.330.0418
www.risebroadband.com

Mike Hennigan

From: (b) [REDACTED]
Sent: Friday, October 21, 2016 11:39 AM
To: Ombudsperson
Cc: Tscott
Subject: Request received: Blocked Access to Webmail.roadrunner.com thru AT&T Uverse

Follow Up Flag: Follow up
Flag Status: Completed

Michael,

A couple of comments:

You are hereby invited to speak at our IEEE meeting at lunch on Dec 3rd at the Washington DC Hilton Hotel just blocks from the DuPont Circle. Please be there at 12 noon and enjoy lunch with us and then say a little to the group about your function at the FCC and the Open Internet Policy. Exact room location will be provided as I get that information.

Next, my AT&T problem still persists at my home. To provide a temporary fix, I installed Time Warner Wifi in my house, thus giving me two separate wifi sources. Of course no problem in accessing the needed webmail sites thru the Time Warner wifi. I was telling one of my IEEE associates yesterday and he said he had the identical U-verse setup in his home, located about 5 miles away from my home and that he would test it there. Well, guess what, it worked fine at his home. So the problem is closer to my area. AT&T's last words to me is that they would stay working on this until it was fixed!!!!!!!

Any thoughts?

On Thursday, October 6, 2016, (b) (6) [REDACTED] wrote:

(b) [REDACTED]
(6) [REDACTED]

Please use: (b) (6) [REDACTED] for sending me emails.

My previous email address (b) (6) [REDACTED] is no longer active.

Begin forwarded message:

From: Ombudsperson <Ombudsperson@fcc.gov>
Date: October 5, 2016 at 8:57:54 AM CDT
To: (b) [REDACTED] >
Subject: RE: Request received: Blocked Access to Webmail.roadrunner.com thru AT&T Uverse

Scott –

If you find AT&T's response inadequate, you can file a rebuttal in our system and AT&T will have to respond to that in 14 days. If you would like additional information about this process, let me know and we'll set up a time to talk. There's also some other steps that you can take if you want to discuss those.

From: (b) (6)
Sent: Tuesday, October 04, 2016 10:00 PM
To: Ombudsperson <Ombudsperson@fcc.gov>
Cc: (b) (6)
Subject: Re: Request received: Blocked Access to Webmail.roadrunner.com thru AT&T Uverse

As of 8:54 pm, Oct 4th, the problem persists. I was amazed to receive a request for the name of my email addresses so that a possible "work around" could be explored, but I did not even respond as that process is "no way to run a company" or fix a known problem. I am also surprised that apparently nothing has been done since last Wednesday. .

I am looking at having to drop AT&T due to the non-resolution to this complaint. They are putting me at quite a disadvantage in my being able to easily and effectively conducting my activities.

(b) (6)

On Tue, Oct 4, 2016 at 3:45 PM, Ombudsperson <Ombudsperson@fcc.gov> wrote:

(b) (6)

AT&T responded to your complaint. See attached. If you would like to discuss further, please be in touch.

Michael

From: Ombudsperson
Sent: Tuesday, September 27, 2016 6:39 PM
To: (b) (6)
Subject: RE: Request received: Blocked Access to Webmail.roadrunner.com thru AT&T Uverse

(b) (6)

Your complaint was served on AT&T today and AT&T is required to respond in writing to you and the FCC within 30 days.

Thanks –

Michael

From: (b) [REDACTED]
Sent: Monday, September 26, 2016 4:40 PM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Fwd: Request received: Blocked Access to Webmail.roadrunner.com thru AT&T Uverse

Hope that this explains the situation.

(b) [REDACTED]

----- Forwarded message -----

From: FCC <consumercomplaints@fcc.gov>
Date: Mon, Sep 26, 2016 at 3:36 PM
Subject: Request received: Blocked Access to Webmail.roadrunner.com thru AT&T Uverse
To: (b) (6) [REDACTED]

##- Please type your reply above this line -##

Hi (b) (6) [REDACTED],

Thank you for your submission. Your request has been received and assigned Ticket No. 1220340. Throughout the complaint process, you will receive periodic emails updating you about the status of your complaint.

If you have information to add to your complaint or questions about your complaint, please respond directly to this email.

You can view your complaint by logging in to the FCC's Consumer Help Center using the email you provided in the complaint. To do so, go to:
<https://consumercomplaints.fcc.gov/access>.

You can get a password by clicking on the "Get a password" link at:
<https://consumercomplaints.fcc.gov/access>.

You can view a list of frequently asked questions at:
<https://consumercomplaints.fcc.gov/hc/en-us/articles/205082880>.

Your submission provides the FCC with important information we can use to develop policies to protect consumers, remedy violations of the Communications Act, and encourage future compliance with the law.

Thank you for your help in furthering the FCC's mission on behalf of consumers.

This email is a service from FCC Complaints. Delivered by [Zendesk](#)

--

(b)
(6)

[Redacted text block]

--

[Redacted text block]

--

(b)
(6)

[Redacted text block]

Mike Hennigan

From: (b) (6)
Sent: Wednesday, July 20, 2016 6:13 PM
To: Ombudsperson
Subject: Requesting Information and Assistance
Attachments: openinternet.pdf; ATT00001.txt

Follow Up Flag: Follow up
Flag Status: Completed

I am writing you to ask if your office can contact me by telephone, regarding very irregular practices by my ISP. I can be reached at (b) (6). Thank you very much.

(b) (6)

Mike Hennigan

From: Michaels, Charles <CMichaels@wlrn.org>
Sent: Tuesday, June 16, 2015 9:44 AM
To: Ombudsperson
Cc: (b) (6)
Subject: Request for resolution: Comcast slowing FTP traffic; denies doing so.

Follow Up Flag: Follow up
Flag Status: Completed

Dear Parul Desai or responsible parties;

For about 4 months, WLRN Public Radio and Television has been in actively complaining and asking Comcast to please stop purposely slowing down FTP (File Transfer Protocol) transfers on their circuits branded "Business Class High Speed Internet." They have sent several technicians that always try to sell you "the faster plan" when in fact we do not need it. They always claim they do not limit bandwidth even when faced with the facts to their faces on a laptop! They have stopped taking our phone calls and are currently avoiding us.

They are in essence traffic shaping so that even though Web/email/Netflix is optimised for the bandwidth we pay for, what we really need gets throttled back to 12% of allowed bandwidth. We are in the radio and TV business and it takes us 26 HOURS to upload one programme for closed captioning!! We have resorted to shipping drives out to our captioning service because it is FASTER than Comcast!

This is very unethical and a great example of an vicious monopoly at work. We have contracts with Comcast that they are not honouring and we have no recourse left other than legal, which considering Comcast legal muscle, is a slim option. We appeal to the FCC for resolution and hope you can help us with these unethical tactics employed by not only Comcast, but AT&T as well. They are doing the exact same thing on our WiFi circuit, we discovered it upon weeks of testing, which we can produce upon request.

We look forward to your reply.

Thank you for your time.

Charles D. Michaels, BSEE
IT Administration Director
WLRN PUBLIC RADIO & TV
172 NE 15TH ST
MIAMI, FL 33132
<http://www.wlrn.org/>

Sent from my iOS Mobile

Mike Hennigan

From: Ombudsperson
Sent: Thursday, April 28, 2016 12:01 PM
To: (b) (6)
Subject: Rebuttal response
Attachments: RUSCH 862842 Rebuttal2.pdf

(b) (6) – Your provider’s response to your rebuttal is attached.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: (b) (6)
Sent: Wednesday, October 12, 2016 7:22 AM
To: Ombudsperson
Subject: real issues with our local telco

Follow Up Flag: Follow up
Flag Status: Completed

<https://www.fcc.gov/general/open-internet>

states a lot of protections for ISP's from the local telco's
We are continually being harassed and threatened by our local Telco,
And now we are told we are going to be totally shut off on Jan 31st, 2017
We are in an area where we have no other options,
We have invested \$3,000,000.00 and now it will all be destroyed if we cannot get protection from our local telco,
We put in a complaint to the fcc on prior date and now they are retaliating.

Where do we go for help or protection?

We are a small family owned business and cannot afford big lawyers etc, and if we do not get help immediately we will be out of business.

Telco's we offered huge financial support from the government that we were not. We were promised that they would extend those benefits derived from them to us, they have not.

I look forward to any advice or help you can give me,

(b) (6)

Historical

(b) (6)

Thanks for the Open Internet rule. I am very aware of the FCC rules.

Please recall the fact pattern...you requested a quote, we gave you a quote, you refused the quote.

I will be out of the office for the remainder of the day.

Michael R. East
President and Chief Executive Officer
South Central Communications
435-644-0110

From: (b) (6)
Sent: Monday, November 02, 2015 7:58 AM
To: Michael East; luke@socen.com; Coy Wadsworth; todd@socen.com
Subject: Red lettered portion of this email is in direct violation off FCC ruling of Feb 26,2015

FYI

<https://www.fcc.gov/openinternet>

(b) Obligations of all local exchange carriers

Each local exchange carrier has the following duties:

(1) Resale

The duty not to prohibit, and not to impose unreasonable or discriminatory conditions or limitations on telecommunications services.

(2) Number portability

From: Michael East [<mailto:michaele@socen.com>]
Sent: Wednesday, October 28, 2015 11:06 AM
To: Thomas Knudson <tck@tksinc.us>
Cc: Luke Geddes <LukeG@socen.com>
Subject: RE: Quote for Service

(b) (6)

Are you requesting a proposal for an additional 1 gig pipe from Tonaquint data center to Centennial Park? If that is the case, yes Luke can provide you a proposal. Would you like an additional 1 gig of bandwidth with that as well, or just the 1 gig pipe?

If however, you are asking for a proposal for a 1 gig pipe from Tonaquint data center to Centennial Park as a replacement for the current circuits that you have under an agreement, then I do not know if I am willing to do that as that was not 1 of the 3 options I provided. Please let me know so we can respond accordingly.

Regarding the pricing, I am going to extremely honest with you. South Central Communications is not generally a wholesale provider of services. As you know, we provide Internet connectivity and enterprise services to end user customers. We have a very vast and robust network that we utilize to provide those services. In this case, we are being asked to provide services to someone who is going to be a direct competitor to us. As such, we include all network and facility costs that go into providing those services and therefore charge a premium for that wholesale service. In this case that premium is 3.5 times as you pointed out.

Michael R. East
President and Chief Executive Officer
South Central Communications
435-644-0110

From: (b) (6)
Sent: Wednesday, October 28, 2015 9:47 AM

To: Michael East
Cc: luke@socen.com
Subject: FW: Quote for Service

To add a single port to the metrolink, (which we were supposed to have in our original agreement),

You are proposing to add \$2250.00 per month, Our quote with South Central was for approximately 650.00 per month per port,

Why is current proposal at 3.5 times that?

Can you get me a proposal for a 1 gig pipe from Tonaquint data center to Centennial park?

From: Luke Geddes [<mailto:LukeG@socen.com>]
Sent: Tuesday, October 27, 2015 4:44 (b) (6)
Cc: Michael East <michaele@socen.com>
Subject: Quote for Service

(b) (6)

Attached you will find the requested quote for service. Please review the documentation to confirm this quote includes your desired connections. This quote is good for a period of 30 days from today. If you have any questions regarding this please let me know. This quote refers to option number two as Michael outlined for you in a previous email. Again, the first option is that you can stay within the current agreement as it is typed out (not hand written terms). The third option is that I will allow you to cancel the current agreement and we both go our separate ways. This third option is not our preference and cannot be indefinite and will expire on November 23, 2015.

Best Regards,

Luke Geddes
Director of Operations Non-Regulated
South Central Communications
(435) 263-0750

(b) (6)



(b) (6)



Mike Hennigan

From:
Sent:
To:
Subject:

Ombudsperson
Wednesday, November 18, 2015 3:53 PM
(b) (6)
RE: Your plan is about to get better.

(b) (6) :

Thank you for contacting the Federal Communications Commission's Open Internet Ombudsperson. Your inquiry relates to an Open Internet complaint. If you have not already done so, please file your complaint.

You can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint:
https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Or you may contact the Consumer Help Center at (888) 225-5322 to file your complaint.

Also of interest may be the following consumer guide:
<https://consumercomplaints.fcc.gov/hc/en-us/articles/204231404-Open-Internet>

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

(b) (6)

From: [REDACTED]
Sent: Wednesday, November 18, 2015 3:38 PM
To: Ombudsperson
Subject: Fwd: Your plan is about to get better.

This feels like it blatantly violates the third Bright Line from <https://www.fcc.gov/openinternet> - "No Paid Prioritization". Thought y'all might like to know.

Cheers,

(b) (6)

----- Forwarded message -----
From: T-Mobile <news@t-mobile-email.com>
Date: Wed, Nov 18, 2015 at 11:59 AM
Subject: Your plan is about to get better.
To: t-mobile.com@t9productions.com

Because you're on a 3GB high-speed data plan or higher, your plan will get even better! Starting November 19, you'll get unlimited video streaming on more than 20 streaming services with Binge On™—without counting toward your data. Plus, video streaming on all other sites will be optimized for your mobile devices. That means you'll get 3x more video from your 4G LTE data. This will happen automatically with no additional charge and no action required.

Video typically streams at DVD quality (480p or better) with Binge On. You may disable Binge On at any time, but will lose Binge On benefits.

Join our community:

Limited time offers; on qualifying plans. Video streaming from included services does not count toward full-speed data allotment on our network. Third party content and subscription charges may apply. Once high-speed data allotment is reached, all usage slowed to up to 2G speeds until end of bill cycle. Streaming services terms and conditions apply. Ray Donovan © Showtime Networks Inc. All rights reserved. SHOWTIME and related marks are trademarks of Showtime Networks Inc., a CBS company. See T-Mobile.com for details. LTE is a trademark of ETSI. T-Mobile and the magenta color are registered trademarks of Deutsche Telekom AG. ©2015 T-Mobile USA, Inc.

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T-Mobile USA, Inc., P.O. Box 37380, Albuquerque, NM 87176

T-Mobile respects your privacy. To review our Privacy Policy, [click here](#).

Mike Hennigan

From: Ombudsperson
Sent: Monday, August 08, 2016 12:28 PM
To: (b) (6)
Subject: RE: your call
Attachments: FCC-15-24A1_2015_Open_Internet_Order.pdf

(b) (6) – Attached is the Open Internet order. You can read about forbearance at paras. 456 to 536.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: (b) (6)
Sent: Monday, August 08, 2016 7:33 AM
To: Ombudsperson
Subject: your call

I heard your call on my phone answering machine. I was in (b) (6) over the last three days. I will be here for the most part for Monday and Tuesday the 8TH and 9TH. Please call me at (b) (6). My problem is not a complaint but a clarification.

Mike Hennigan

From: (b) (6)
Sent: Tuesday, November 10, 2015 8:21 AM
To: whitelist@verizononline.net; Ombudsperson; (b) (6)
Cc: (b) (6)
Subject: RE: Whitelist Request for IP Address (b) (6)
Attachments: IP-Address-Server-Listed.png

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

Hello,

There is no way we are on a black list as we have checked from mxtoolbox.com and the IP address we have received from our VPS provider is not a dynamic IP address. You need to re-verify on your end.

We have completed everything necessary. The Verizon network right now is the only one we are having problems with as the other ISP have whitelisted our mail server IP address.

I have attached a screenshot of our VPS panel to show the IP address is use. This is still causing business communication flow problems and causing more work to get the information we need to the users on your network.

We have tried on numerous occasions to get this whitelisted on Verizon's network with no avail.

Also, I tried to send an email to whitelist@verizononline.net from our (b) (6) email and cannot send to them because they say:

Mon
5E7731AA6D475697 Nov 9 (b) (6) whitelist@verizononline.net
17:04:17

host
outbound.bizmailsvcs.net (b) (6)
refused to talk to me: 550-Email from
(b) (6) is currently blocked by
Verizon Online's 550-anti-spam system.
The email sender or Email Service
Provider may visit 550
<http://www.verizon.net/whitelist> and
request removal of the block. 151110

This is ridiculous that we have to do this to get legitimate email through to our customers.

Please advise

On Monday, November 9, 2015 16:00 EST, whitelist@verizononline.net wrote:

>
> After investigation, Verizon Online Security has determined that e-mail from your IP address will not be allowed access to the Verizon Online e-mail domain due to one or more of the following reasons:
>
> Your IP has been blocked because of spam issues or because your ISP indicates that it is dynamically assigned
>
>
>
> Once you have addressed any security-related issues on your network, you should contact Verizon Online Security via this form. At that time, we will work with you to restore normal e-mail traffic or to take other action as we deem appropriate.
>
> Sincerely,
>
> Verizon Online Security
> <http://www2.verizon.net/policies>
> abuse@verizon.net
>
>

-----Original Message-----

From: (b) (6)
Sent: Monday, March 02, 2015 10:03 AM
To: (b) (6)
Subject: Fwd: RE: Whitelist Request for IP Address (b) (6)

----- Original Message -----

Subject: RE: Whitelist Request for IP Address (b) (6)
Date: Monday, March 2, 2015 10:00 EST
From: whitelist@verizononline.net
To: (b) (6)

After investigation, Verizon Online Security has determined that e-mail from your IP address will not be allowed access to the Verizon Online e-mail domain due to one or more of the following reasons:

Your IP has been blocked because of spam issues or because your ISP indicates that it is dynamically assigned

Once you have addressed any security-related issues on your network, you should contact Verizon Online Security via this form. At that time, we will work with you to restore normal e-mail traffic or to take other action as we deem appropriate.

Sincerely,

Verizon Online Security
<http://www2.verizon.net/policies>

abuse@verizon.net

----- Original Message -----

Subject: RE: Whitelist Request for IP Address (b) (6)

Date: Friday, February 27, 2015 14:00 EST

From: whitelist@verizononline.net

To: (b) (6)

After investigation, Verizon Online Security has determined that e-mail from your IP address will not be allowed access to the Verizon Online e-mail domain due to one or more of the following reasons:


Your IP has been blocked because of spam issues or because your ISP indicates that it is dynamically assigned

Once you have addressed any security-related issues on your network, you should contact Verizon Online Security via this form. At that time, we will work with you to restore normal e-mail traffic or to take other action as we deem appropriate.

Sincerely,

Verizon Online Security
<http://www2.verizon.net/policies>
abuse@verizon.net

(b) (6)
[Redacted signature block]

 please keep this email paperless

(b) (6)
[Redacted content block]

The information contained in this message and any attachments may be CONFIDENTIAL. It is intended for the named addressee(s) only. Any unauthorized use, dissemination of the information, or copying of this message is prohibited. If you are not a named addressee, you are prohibited from copying, distributing or using this information in any way. Please notify the sender immediately by return e-Mail and delete this message if you are not an intended addressee.

Mike Hennigan

From: Ombudsperson
Sent: Wednesday, December 14, 2016 5:16 PM
To: (b) (6)
Subject: RE: Why Data Caps hurt us
Attachments: FCC-15-24A1_Open_Internet_Order.pdf

Mr. (b) (6)

Thank you for contacting the FCC's Open Internet Ombudsperson. In your email you raise concerns about Comcast's data usage policies (the 1TB limit, specifically) and the potential for these policies to harm the Internet and consumers. I appreciate you raising these concerns to me.

As you may know, in the Open Internet Order (attached) the Commission recognized that there are differing views over data usage allowances (also called "data caps"), specifically in cases where once a cap has been used the speed at which the end user can access the Internet may be reduced to a slower speed, or the end user may be charged for excess data. See para. 153 of the attached Order. The Commission recognized potential consumer benefits from such policies but also the potential for ISPs to use data caps to disadvantage competing over the top providers. Given the unresolved debate about such policies, the Commission did not make a blanket finding about such policies. The Commission indicated that concerns about such policies will be addressed on a case-by-case basis. As such, issues concerning data usage limitations will likely be addressed under the Commission's general conduct standard, which is the following:

47 Code of Federal Regulations § 8.11 – No unreasonable interference or unreasonable disadvantage standard for Internet conduct

- "Any person engaged in the provision of broadband Internet access service, insofar as such person is so engaged, shall not unreasonably interfere with or unreasonably disadvantage (i) end users' ability to select, access, and use broadband Internet access service or the lawful Internet content, applications, services, or devices of their choice, or (ii) edge providers' ability to make lawful content, applications, services, or devices available to end users. Reasonable network management shall not be considered a violation of this rule."

See para. 136 of the attached order.

If you are concerned about the service that you are receiving from Comcast, the adequacies of Comcast's disclosures, and/or that Comcast is violating our rules, you are welcome to file an informal complaint with the FCC's Consumer Help Center. If you file an informal complaint, we will serve the complaint on Comcast and Comcast will be legally required to respond to you and us in writing within 30 days.

If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

When filing a complaint, you should specifically describe your concerns, clearly reference the rule that you think may have been violated, and precisely explain why you think a violation of that rule may have occurred, with quotation of the rule as appropriate.

If you would like to file a public comment about our Open Internet rules, you are welcome to do so through our Electronic Comment Filing System (ECFS) in our Open Internet proceeding, number 14-28: https://www.fcc.gov/ecfs/search/filings?proceedings_name=14-28&sort=date_disseminated_DESC

This is the link for the express filing form and you can enter proceeding number 14-28 on this page to file a comment in the Open Internet proceeding: <https://www.fcc.gov/ecfs/filings>

Again, thank you bringing your concerns to my attention.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: (b) (6)

Sent: Friday, December 02, 2016 6:11 PM

To: Ombudsperson

Subject: Why Data Caps hurt us

I just wanted to take the time to write you my views and opinions about Comcast's new 1TB data cap it is pushing.

First off I believe this is just a ploy for them to further punish people who get their media via digital means (Netflix and amazon). These caps punish users of these services especially ones that have 4k TV's and can take advantage of that content (Comcast has been promising but still does not offer 4k content after 2 years). Now lets look at a home like mine. I have 2 adults and 2 children so with TV's streaming, games being played, mobile devices I can easily pass the cap without an effort and have actually have to cut my Netflix usage to just regular HD content and limiting how much it is used and despite this I still went over the cap last month.

I called Comcast concerned and was told to either fork up 50 more a month for unlimited data (which doubles the internet portion of my bill), or to basically go with another provider (not an option in my area). I asked about cancelling my cable service and keeping internet in order to keep my bill about the same, but was told my internet price would go up \$40 if I dropped my bundle which would actually make my bill much higher than it is now! I do subscribe and pay for a higher tier speed package, which I purchased because of the household size and needing that bandwidth, now I am being punished for that.

Most of our media, games, and information are digitally delivered these days. This cap hurts my ability to access things that Comcast doesn't sell (their own digital content). I am surprised Netflix and amazon are not up in arms, because in order to use them as I would need I also need to invest another 600 dollars a year into the unlimited usage.

I feel Comcast should either make the caps larger based on the tier or make the unlimited usage price reasonable. I have also noticed that the meter they use doesn't seem to reflect the same amount of usage my router does as well. So I would be interested on knowing how this meter is validated for accuracy.

Let me be honest data usage is going to increase exponentially in the future and data caps do not benefit the customers. They only benefit the ISP who are using these caps to either bully customers into using their cable services or to bring in extra money from cord cutters. From the little bit of looking I have done the only ISP's with caps are the ones that do offer media services as well.

I just ask that the FCC look in to this further. Help protect the consumers, because right now the ISP make the rules and while this is happening everyone but those ISP's lose. The internet should be free, not limited by overage fees.

Thanks,

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Thursday, November 12, 2015 11:46 AM
To: Ombudsperson
Subject: RE: Whitelist Request for IP Address (b) (6)
Follow Up Flag: Follow up
Flag Status: Completed

That works, thank you!

From: Ombudsperson [mailto:Ombudsperson@fcc.gov]
Sent: Thursday, November 12, 2015 11:06 AM
To: (b) (6)
Subject: RE: Whitelist Request for IP Address (b) (6)

OK – Good. Let’s talk at 3:00 pm. I can call you at (b) (6) if that works.

From: (b) (6)
Sent: Thursday, November 12, 2015 11:02 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Re: Whitelist Request for IP Address (b) (6)

Hello and thank you for getting back to me. Today at 3pm would work great! Should I call the number at the bottom or do you have another number?

Thank you!

(b) (6)

Sent from my iPhone

On Nov 12, 2015, at 09:44, Ombudsperson <Ombudsperson@fcc.gov> wrote:

(b) (6)

Thank you for contacting the Open Internet Ombudsperson. I’d like to discuss this with you soon.

Are you available for a call today to discuss this? Perhaps at 12 noon or 3:00 pm? If neither time works for you, please suggest some other times.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: (b) (6)
Sent: Wednesday, November 11, 2015 8:33 AM
To: whitelist@verizononline.net; Ombudsperson <Ombudsperson@fcc.gov>; (b) (6)
Cc: (b) (6)
Subject: RE: RE: Whitelist Request for IP Address (b) (6)

There has still been nothing done about this. We need to get these emails through. It has been over 48 hours and still no response.

From: (b) (6)
Sent: Tuesday, November 10, 2015 8:21 AM
To: 'whitelist@verizononline.net'; 'ombudsperson@fcc.gov'; (b) (6); (b) (6)
Cc: (b) (6)
Subject: RE: Whitelist Request for IP Address (b) (6)
Importance: High

Hello,

There is no way we are on a black list as we have checked from mxtoolbox.com and the IP address we have received from our VPS provider is not a dynamic IP address. You need to re-verify on your end.

We have completed everything necessary. The Verizon network right now is the only one we are having problems with as the other ISP have whitelisted our mail server IP address.

I have attached a screenshot of our VPS panel to show the IP address is use. This is still causing business communication flow problems and causing more work to get the information we need to the users on your network.

We have tried on numerous occasions to get this whitelisted on Verizon's network with no avail.

Also, I tried to send an email to whitelist@verizononline.net from our (b) (6) email and cannot send to them because they say:

Mon
5E7731AA6D475697 Nov 9 (b) (6) whitelist@verizononline.net
17:04:17

host
outbound.bizmailsrvcs.net (b) (6)
refused to talk to me: 550-Email from (b) (6) is currently blocked by Verizon Online's 550-anti-spam system
The email sender or Email Service Provider may visit 550
<http://www.verizon.net/whitelist> and request removal of the block. 151110

This is ridiculous that we have to do this to get legitimate email through to our customers.

Please advise

On Monday, November 9, 2015 16:00 EST, whitelist@verizononline.net wrote:

- >
- > After investigation, Verizon Online Security has determined that e-mail from your IP address will not be allowed access to the Verizon Online e-mail domain due to one or more of the following reasons:
- >
- > Your IP has been blocked because of spam issues or because your ISP indicates that it is dynamically assigned
- >
- >
- >
- > Once you have addressed any security-related issues on your network, you should contact Verizon Online Security via this form. At that time, we will work with you to restore normal e-mail traffic or to take other action as we deem appropriate.
- >
- > Sincerely,
- >
- > Verizon Online Security
- > <http://www2.verizon.net/policies>
- > abuse@verizon.net
- >
- >

-----Original Message-----

From: (b) (6)
Sent: Monday, March 02, 2015 10:03 AM
To: (b) (6)
Subject: Fwd: RE: Whitelist Request for IP Address (b) (6)

----- Original Message -----

Subject: RE: Whitelist Request for IP Address (b) (6)
Date: Monday, March 2, 2015 10:00 EST
From: whitelist@verizononline.net
To: (b) (6)

After investigation, Verizon Online Security has determined that e-mail from your IP address will not be allowed access to the Verizon Online e-mail domain due to one or more of the following reasons:

Your IP has been blocked because of spam issues or because your ISP indicates that it is dynamically assigned

Once you have addressed any security-related issues on your network, you should contact Verizon Online Security via this form. At that time, we will work with you to restore normal e-mail traffic or to take other action as we deem appropriate.

Sincerely,

Verizon Online Security
<http://www2.verizon.net/policies>
abuse@verizon.net

----- Original Message -----

Subject: RE: Whitelist Request for IP Address (b) (6)

Date: Friday, February 27, 2015 14:00 EST

From: whitelist@verizononline.net

To: (b) (6)

After investigation, Verizon Online Security has determined that e-mail from your IP address will not be allowed access to the Verizon Online e-mail domain due to one or more of the following reasons:


Your IP has been blocked because of spam issues or because your ISP indicates that it is dynamically assigned

Once you have addressed any security-related issues on your network, you should contact Verizon Online Security via this form. At that time, we will work with you to restore normal e-mail traffic or to take other action as we deem appropriate.

Sincerely,

Verizon Online Security
<http://www2.verizon.net/policies>
abuse@verizon.net

(b) (6)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

 please keep this email paperless

The information contained in this message and any attachments may be CONFIDENTIAL. It is intended for the named addressee(s) only. Any unauthorized use, dissemination of the information, or copying of this message is

prohibited. If you are not a named addressee, you are prohibited from copying, distributing or using this information in any way. Please notify the sender immediately by return e-Mail and delete this message if you are not an intended addressee.

Mike Hennigan

From: Ombudsperson
Sent: Friday, October 09, 2015 12:33 PM
To: (b) (6); Ombudsperson
Subject: RE: Verizon's plan for Broadband price increase / plan cancellation

Follow Up Flag: Follow up
Flag Status: Completed

Hi,

Thank you for your email. If you have not already done so, please file your complaint at <https://consumercomplaints.fcc.gov>.

Thanks, again.

From: (b) (6)
Sent: Friday, October 09, 2015 10:15 AM
To: Ombudsperson
Subject: Verizon's plan for Broadband price increase / plan cancellation

Hello,

I am concerned about the recent news regarding Verizon's price increase of unlimited dataplans upon customers that have held contracts since 2000. The reason I write to you about this is that this action does not seem to be directly in potential violation of the legislation that was recently passed regarding canceling plans for broadband reasons, seems to skirt very close to doing just that. My bill for my wife's and I will have jumped 40\$/month. Additionally, with the cell providers in the area being very sporadic in coverage Verizon's service is practically the only provider with service. Thus being our primary method of communication it will no longer be feasible to stay on the broadband plan we were on for an effective additional cost of \$480/year. The short of this is that the plans (for two phones) will now cost about \$1880/year. This becomes unmanageable or feasible. I believe this constitutes cell phone contract cancellation due to broadband. Is there any path for complaint through the FCC or other agency?

Respectfully,

(b) (6)

Mike Hennigan

From: Ombudsperson
Sent: Thursday, November 05, 2015 3:23 PM
To: (b) (6)
Subject: RE: Verizon Wireless Throttling?

(b) (6)

If you file a complaint, we will notify your provider that you have filed a complaint. So it is really up to you whether to notify them on your own. I hope that is helpful.

Thank you.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: (b) (6)
Sent: Thursday, November 05, 2015 1:16 PM
To: Ombudsperson
Subject: RE: Verizon Wireless Throttling?

Should I inform Verizon Wireless that I am submitting a complaint to the FCC?

Sincerely,

(b) (6)

On Thu, Nov 5, 2015 at 8:40 AM -0800, "Ombudsperson" <Ombudsperson@fcc.gov> wrote:

(b) (6)

Thank you for contacting the FCC's Open Internet Ombudsperson. You raised a concern about the ability of Verizon Wireless customers to send text messages on iOS devices not running iOS 9.1. Your inquiry relates to an Open Internet complaint. If you have not already done so, please file your complaint.

You can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint:
https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Or you may contact the Consumer Help Center at (888) 225-5322 to file your complaint.

If you file a complaint, we will serve your complaint on your provider and your provider is required to respond to you in writing in 30 days.

Also of interest may be the following consumer guide on the Open Internet rules:
<https://consumercomplaints.fcc.gov/hc/en-us/articles/204231404-Open-Internet>

Thank you again.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: (b) (6)
Sent: Thursday, November 05, 2015 11:31 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Verizon Wireless Throttling?

To Whom It May Concern:

My name is (b) (6), and I believe that my text messages are being throttled due to Verizon blocking all text messages being sent on iOS devices not running iOS 9.1. Please view this link and provide your discretion, please. I was unable to post a discussion to the Verizon Wireless forums, as well, as seen in this

screenshot attachment.

Cancel

Discussion

Submit

You do not have permissions to access the requested content.

Post To: Everyone

iOS 9.0.2 Text Message Throttling

I wish to understand why I cannot send text messages unless I update to iOS 9.1. Because the FCC states, "No Throttling: broadband providers may not impair or degrade lawful Internet traffic on the basis of content, applications, services, or non-harmful devices."

I believe that an iOS software update is classified as "content" or "services." You may claim loophole, but I claim rights being violated. I have a

Sincerely,

(b) (6)

Mike Hennigan

From: Ombudsperson
Sent: Tuesday, October 11, 2016 12:09 PM
To: (b) (6)
Subject: RE: Just notified of "data plan" / official complaint
Attachments: FCC-15-24A1_Open_Internet_Order.pdf

(b) (6) –

Thank you for contacting the FCC's Open Internet Ombudsperson. Below you raise a concern about Comcast's policies data usage by ISPs. Each ISP has different data usage policies and you are welcome to file a complaint with us about this issue using our web-based consumer complaint system. If you file a complaint, we will serve your complaint on Comcast and Comcast will be legally required to respond to us and you in writing within 30 days. You can file a complaint here: <https://consumercomplaints.fcc.gov/hc/en-us>

Regarding the specific issue you raise, you seem to be suggesting that data caps should not be allowed in some cases and you raise the concern that, although 1 TB may work for you now, Comcast may have an incentive to lower their cap in the future.

In the Open Internet Order, the FCC indicated that it would review data cap programs on a case-by-case basis. See para. 153 of the attached order and the text below. If you are concerned about your ISP's practices in this regard, you are welcome to submit your email below as a complaint as indicated above.

Thank you for raising this concern with us.

- Para. 193: The record also reflects differing views over some broadband providers' practices with respect to usage allowances (also called "data caps"). Usage allowances place limits on the volume of data downloaded by the end user during a fixed period. Once a cap has been reached, the speed at which the end user can access the Internet may be reduced to a slower speed, or the end user may be charged for excess data. Usage allowances may benefit consumers by offering them more choices over a greater range of service options, and, for mobile broadband networks, such plans are the industry norm today, in part reflecting the different capacity issues on mobile networks. Conversely, some commenters have expressed concern that such practices can potentially be used by broadband providers to disadvantage competing over-the-top providers. Given the unresolved debate concerning the benefits and drawbacks of data allowances and usage-based pricing plans, we decline to make blanket findings about these practices and will address concerns under the no-unreasonable interference/disadvantage on a case-by-case basis.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: (b) (6)
Sent: Friday, October 07, 2016 3:41 PM
To: Ombudsperson
Subject: Just notified of "data plan" / official complaint

Hello there,

For a few months now, I've heard rumors of Internet company giants like Comcast (that's who I am with), imposing data caps or data plans to customers. Basically, now they are not only charging people for the use of

their (many times unreliable) Internet connection - with the price dependant on the speed that consumers can get in their areas - but now letting the consumers know that there is a limit to HOW much can be used (or else pay them more). I understand phone companies imposing data caps to use their networks (price dependant of the amount of data you plan on using) , but not for business or home use. So hearing these rumors, it seemed absurd, and potentially illegal. I also heard that the FCC was going stop this, especially when Comcast and Charter had the merger - so I went about my life.

Until today. I just received an email from Comcast about my internet service, and how starting November 1, I will have a data plan imposed. The email went on to explain that I will be getting a generous 1 terabyte amount of data, before additional charges would be imposed, and that I have only averaged 92 GB in the last three months. So 1 terabyte should be plenty, according to them. This makes me furious! First of all, in the area that my husband and I live, we are stuck with choosing Comcast as our Internet provider. It's either them, or the local DSL provider that can only get us speeds up to 6 mbs (I'm sure whomever is reading this is somewhat intelligent and knows those speeds won't even be able to handle streaming Netflix, or music, or pretty much doing anything online besides maybe checking your bank statements). So we are stuck with the ever price increasing monopoly that is Comcast, and they know it. It was demoralizing enough to have to accept this, but now the data cap issue!?! This is too far!

If the FCC doesn't do something about this now, it's going to get worse! I understand that the 1 terabyte they are offering seems very generous, but what is going to stop them from lowering that cap later? Squeezing people into having to not only pay them for the speed at which they can get their Internet (information to the world, mind you), but then making them pay for how much Internet/information they get. Not only this, but every year the sites that are visited and used online take more and more data abd speeds to make them function. I remember dial-up and speeds lower than 56k. Those speeds eventually died out due to the need for faster Internet, and the need for more data. This trend will continue. Who knows, maybe 1 terabyte in 2,3,5 years will not be enough, and consumers will be forced into paying more and more and more. Also, everyday that goes by the internet is (unfortunately) becoming more and more of a necessary utility than a discretionary one.

With that being said, this is my official complaint. The FCC needs to stop Comcast, and all Internet providers, from placing any kind of data caps or limits. If you allow them to do this, you are unlocking the door - taking the first step - to handing them control of the world we live in and the information and knowledge humanity can share.

I appreciate your time in reading this, and I sincerely hope that this email was not sent in vain.

(b) (6)

Mike Hennigan

From: Ombudsperson
Sent: Friday, August 12, 2016 5:15 PM
To: (b) (6)
Subject: RE: ISP turning of my internet for over use of unlimited Data Internet.
Attachments: FCC-15-24A1_Open_Internet_Order.pdf

(b)

Thank you for contacting the FCC's Open Internet Ombudsperson. Below you raise concerns about your ISP terminating your service due to your data usage. I encourage you to file an informal complaint with us about this issue.

If you file a complaint, we will serve the complaint on your ISP and your ISP will be legally required to respond to you and us in writing within 30 days. Once your ISP responds to you, I am happy to discuss the response with you and additional steps you may take.

If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

When filing a complaint, you should specifically describe your concerns, clearly reference the rule that you think may have been violated, and precisely explain why you think a violation of that rule may have occurred with quotation of the rule as appropriate.

To address the specific question that you asked, as you may know, the Commission adopted the Open Internet Order in February 2015, the rules went into effect in June 2015. In the Open Internet Order (attached), the Commission noted: "Data caps or allowances, which limit the amount and type of content users access online, can have a role in providing consumers options and differentiating services in the marketplace, but they also can negatively influence customer behavior and the development of new applications." Paragraph 82. At paragraph 153, the Commission noted differing views on usage allowances (a.k.a. "data caps") and the Commission declined "to make blanket findings about these practices." In that same paragraph, the Commission stated that it would address concerns about such practices on a case-by-case basis.

Thank you.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: (b) (6)
Sent: Tuesday, August 09, 2016 12:48 PM
To: Ombudsperson
Subject: ISP turning of my internet for over use of unlimited Data Internet.

I and my kids use our internet to watch YouTube, Netflix, Hulu and Vudu. We also use it to game with Xbox and PlayStation and use computer to play games online. We have unlimited data internet but today they tell me they are shutting off our internet because we use too much data. Are they allowed to do that under Net Neutrality.

Thanks,

(b) (6)

Mike Hennigan

From: Ombudsperson
Sent: Tuesday, June 23, 2015 12:26 PM
To: (b) (6)
Subject: RE: ISP Revenge

Follow Up Flag: Follow up
Flag Status: Completed

Hello, (b) (6)

Thank you for your email. Your inquiry relates to an Open Internet complaint. If you have not already done so, please file your complaint online.

You can use the below link and select "Open Internet" as the " Internet issue" for which you are filing the complaint:
https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Also of interest may be the following consumer guide:

<https://consumercomplaints.fcc.gov/hc/en-us/articles/204231404-Open-Internet>

Thanks again.

From: (b) (6)
Sent: Monday, June 22, 2015 4:38 PM
To: Ombudsperson
Subject: ISP Revenge

Well, here's an issue to investigate. Major ISPs are using us to tell you that they run the industry, not the FCC.

<http://www.theguardian.com/technology/2015/jun/22/major-internet-providers-slowing-traffic-speeds>

Please keep us updated on how this progresses.

Thank you,

(b) (6)

Mike Hennigan

From: Ombudsperson
Sent: Thursday, November 12, 2015 10:13 AM
To: (b) (6)
Subject: RE: Internet

(b) (6)

Thank you for contacting the FCC's Open Internet Ombudsperson.

I appreciate you raising these concerns regarding the Consumer Guide that you attached to your email. If you have specific suggestions regarding improvements to this Guide, I'm happy to discuss them with you on the phone at the number below.

Thank you again.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: (b) (6)
Sent: Monday, November 09, 2015 6:44 PM
To: Ombudsperson
Subject: Internet

I am deeply sorry for the slow response, but I see more than a few shortcomings on this list. The first is the ability of providers to provide up to 100x faster speeds, put to the test, again, by competition with google fiber in their selected cities. Internet providers whom were previously providing sluggishly slow service were able to match google's 1000 megabit speed after a few weeks. One can infer that providers are withholding these speeds from the rest of the country, all the while charging ridiculous rates. Consumers have almost no say in this matter, and are often stuck with the terrible speeds and service provided. This goes against two of the three points marked within the text I have attached to this email. Providers are "throttling" and prioritizing their service. By this, I mean that where there is competition (mostly google fiber), they spike their service while refraining from providing it to the rest of their consumers. Second of all, the form requests for all providers to be transparent and provide "sufficient information to empower you to make informed choices – including choices about speed, price, and network management practices. The rules also require that providers' information about their broadband service must be accurate and truthful." If Cox or another company chooses to provide their 1000 megabit speed in competition with google in a "Fiber City," then why have consumers not been informed or given the option to use these same plans?

Thank you,

(b) (6)

Mike Hennigan

From: Ombudsperson
Sent: Friday, June 19, 2015 7:26 PM
To: (b) (6)
Subject: RE: Internet throttling question?

Follow Up Flag:
Flag Status:

Follow up
Completed

(b) (6)

Thank you for your email. Your inquiry relates to an Open Internet complaint. If you have not already done so, please file your complaint online.

You can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint:
https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Also of interest may be the following consumer guide:

<https://consumercomplaints.fcc.gov/hc/en-us/articles/204231404-Open-Internet>

Thanks again.

-----Original Message-----

From: (b) (6)
Sent: Friday, June 19, 2015 7:23 PM
To: Ombudsperson
Subject: Internet throttling question?

So lately my internet at home has been going slow so I asked my isp what's going on and they said they throttle me and I asked about net neutrality and he said he can do it and it's not against net neutrality, is it? Thank you!

Sincerely,

(b) (6)

Mike Hennigan

From:
Sent:
To:
Subject:

(b) (6)
Monday, May 02, 2016 3:15 PM
Ombudsperson
Re: Internet speeds in Rib Lake, WI

Follow Up Flag:
Flag Status:

Follow up
Completed

Mr. Jensen:
I thought the information I requested was outlined well in my 2015 emails. I think they were also well and clearly stated in the two inquiries by the staff of Senator Tammy Baldwin, and again in the Senator's letter of April 28, 2016 to Chairman Wheeler. I understood from your call last Friday, that you were responding on behalf of the FCC and Mr. Wheeler, and that you would be providing me with the information we had been requesting. I understood your email of April 29th was to constitute that full response. Your email reached me that Friday evening. It gives me links to information over the web. It is useless for me to try and obtain information over the web on a weekend, our service is too slow and unreliable. I do not have a lifetime to wait for a page to load, let alone pages. I am attempting to access your links during weekday hours when service isn't quite as bad. I expect to be here this pm if you want to call.

Respectfully,

(b) (6)
From: Ombudsperson
Sent: Monday, May 02, 2016 12:49 PM

(b) (6)
To: (b) (6)
Subject: RE: Internet speeds in Rib Lake, WI
(b) (6) I'm planning on giving you a call today at 3:00 pm central time / 4:00 pm eastern time. If your schedule has changed and this time no longer works for you, please let me know.

From: Ombudsperson
Sent: Friday, April 29, 2016 2:55 PM
To: (b) (6)
Subject: Internet speeds in Rib Lake, WI

(b) (6)
It was good talking with you yesterday. Thank you for discussing your concerns with me.
As I understand it, you are concerned, first, about the internet speeds that your provider – Frontier – is offering in Rib Lake, Wisconsin, particularly regarding the T1 service to your area. In connection to this concern, you would like what FCC rules apply to Frontier's provision of internet service to you. Second, you are concerned about the FCC response to your informal complaint and would like more information about how our informal complaint process works. Third, you would like information on how to file a request under the FOIA with the FCC. If there are additional concerns, please let me know.

that are not covered in what I have just mentioned, any omission was inadvertent, and I am happy to try to address additional concerns that you may have and/or provide additional information.

Initially, let me say that the FCC is committed to promoting broadband deployment, competition, and consumer choice. We have a number of proceedings that advance these goals and we provide financial support to encourage deployment of broadband in underserved areas. That being said, broadband deployment is not required under our Open Internet rules.

Our Open Internet rules, however, require broadband providers to be transparent about the services they offer consumers. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- **“A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings.”**

The text of this rule is available on this US Government Publishing Office website: http://www.ecfr.gov/cgi-bin/text-idx?SID=1dc502117c40e9ef4ff7fc65c7bddacd&mc=true&node=se47.1.8_13&rgn=div8

For your reference on the transparency rule, I have attached two pdfs to this email: (1) an FCC consumer guide on the transparency rule, and (2) the Open Internet Order, which the Commission adopted in February 2015. See, specifically, paragraphs 23-24, and 154-185 of the Order for discussions of the transparency rule.

With regard to our informal complaint process, the FCC’s informal complaint process provides consumers with a way to register their concerns with the FCC and their providers. Under our rules, we may serve your complaint on your provider, and if so, your provider is legally required to respond to you and us in writing. If you are not satisfied with your provider’s response, we can serve a rebuttal on the provider and if so, they will be required to respond to the rebuttal as well.

I have attached a consumer guide about the informal complaint process. Additionally, here is the procedure for filing informal complaints under our rules:

47 Code of Federal Regulations § 1.717 - Procedure

- **“The Commission will forward informal complaints to the appropriate carrier for investigation. The carrier will, within such time as may be prescribed, advise the Commission in writing, with a copy to the complainant, of its satisfaction of the complaint or of its refusal or inability to do so. Where there are clear indications from the carrier's report or from other communications with the parties that the complaint has been satisfied, the Commission may, in its discretion, consider a complaint proceeding to be closed, without response to the complainant. In all other cases, the Commission will contact the complainant regarding its review and disposition of the matters raised. If the complainant is not satisfied by the carrier's response and the Commission's disposition, it may file a formal complaint in accordance with § 1.721 of this part.”**

You can find all of the rules regarding informal complaints on this US Government Publishing Office website: http://www.ecfr.gov/cgi-bin/text-idx?SID=f9e6a6f05ca3c7abfbb83da8eb961686&mc=true&node=sg47.1.1_1711.sg24&rgn=div7

You also asked about the consequences for a provider that does not respond to informal complaints. Failure to respond to informal complaints can lead to enforcement actions. See the attached Enforcement Advisory and, for example, the attached Notice of Apparent Liability.

You will note that under our rules if a complainant is not satisfied with the provider's response to an informal complaint, a complainant can file a formal complaint. Unlike informal complaints, formal complaints involve detailed procedural rules and filing requirements. The formal complaint process is similar to federal court litigation, in that it involves a complaint, answer, reply, motions, briefs, and discovery. If you are interested in filing a formal complaint, I can discuss this with you.

As you and I also discussed, it is very helpful to the Commission to hear from consumers like you and our enforcement actions and rule makings can be informed by consumer complaints like yours. As such, I very much appreciate you bringing your concerns to our attention in the form of an informal complaint. On our next phone call, we can discuss additional steps you can take if the informal complaint process was not satisfactory to you.

Finally, in regard to filing a request under the FOIA, this FCC webpage provides information about how to file a FOIA request: <https://www.fcc.gov/general/foia-0>

The FCC uses "FOIAonline" to manage FOIA requests. With FOIAonline you can submit FOIA requests online and track the status of requests. To file a FOIA request for records kept by the FCC, please go to FOIAonline: <https://foiaonline.regulations.gov/foia/action/public/home>

Choose "Make a FOIA Request" and, using the drop down menu, select Federal Communications Commission.

In addition, this FCC webpage provides specific information about how to file a FOIA request with the FCC and also provides a point of contact at the FCC if you have questions about this process: <https://www.fcc.gov/reports-research/guides/how-file-foia-request>

I hope this information is helpful to you. I am looking forward to talking with you again on Monday at 4:00 pm eastern, 3:00 pm central.

Best –
Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: Ombudsperson
Sent: Monday, May 02, 2016 1:49 PM
To: (b) (6)
Subject: RE: Internet speeds in Rib Lake, WI

(b) (6) – I’m planning on giving you a call today at 3:00 pm central time / 4:00 pm eastern time. If your schedule has changed and this time no longer works for you, please let me know.

From: Ombudsperson
Sent: Friday, April 29, 2016 2:55 PM
To: 'ruschtm@newnorth.net'
Subject: Internet speeds in Rib Lake, WI

(b) (6)

It was good talking with you yesterday. Thank you for discussing your concerns with me.

As I understand it, you are concerned, first, about the internet speeds that your provider – Frontier – is offering in Rib Lake, Wisconsin, particularly regarding the T1 service to your area. In connection to this concern, you would like to know what FCC rules apply to Frontier’s provision of internet service to you. Second, you are concerned about the FCC’s response to your informal complaint and would like more information about how our informal complaint process works. Third, you would like information on how to file a request under the FOIA with the FCC. If there are additional concerns that are not covered in what I have just mentioned, any omission was inadvertent, and I am happy to try to address additional concerns that you may have and/or provide additional information.

Initially, let me say that the FCC is committed to promoting broadband deployment, competition, and consumer choice. We have a number of proceedings that advance these goals and we provide financial support to encourage deployment of broadband in underserved areas. That being said, broadband deployment is not required under our Open Internet rules.

Our Open Internet rules, however, require broadband providers to be transparent about the services they offer consumers. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- **“A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings.”**

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For your reference on the transparency rule, I have attached two pdfs to this email: (1) an FCC consumer guide on the transparency rule, and (2) the Open Internet Order, which the Commission adopted in February 2015. See, specifically, paragraphs 23-24, and 154-185 of the Order for discussions of the transparency rule.

With regard to our informal complaint process, the FCC's informal complaint process provides consumers with a way to register their concerns with the FCC and their providers. Under our rules, we may serve your complaint on your provider, and if so, your provider is legally required to respond to you and us in writing. If you are not satisfied with your provider's response, we can serve a rebuttal on the provider and if so, they will be required to respond to the rebuttal as well.

I have attached a consumer guide about the informal complaint process. Additionally, here is the procedure for filing informal complaints under our rules:

47 Code of Federal Regulations § 1.717 - Procedure

- **“The Commission will forward informal complaints to the appropriate carrier for investigation. The carrier will, within such time as may be prescribed, advise the Commission in writing, with a copy to the complainant, of its satisfaction of the complaint or of its refusal or inability to do so. Where there are clear indications from the carrier's report or from other communications with the parties that the complaint has been satisfied, the Commission may, in its discretion, consider a complaint proceeding to be closed, without response to the complainant. In all other cases, the Commission will contact the complainant regarding its review and disposition of the matters raised. If the complainant is not satisfied by the carrier's response and the Commission's disposition, it may file a formal complaint in accordance with § 1.721 of this part.”**

You can find all of the rules regarding informal complaints on this US Government Publishing Office website:

http://www.ecfr.gov/cgi-bin/text-idx?SID=f9e6a6f05ca3c7abfbb83da8eb961686&mc=true&node=sg47.1.1_1711.sg24&rgn=div7

You also asked about the consequences for a provider that does not respond to informal complaints. Failure to respond to informal complaints can lead to enforcement actions. See the attached Enforcement Advisory and, for example, the attached Notice of Apparent Liability.

You will note that under our rules if a complainant is not satisfied with the provider's response to an informal complaint, a complainant can file a formal complaint. Unlike informal complaints, formal complaints involve detailed procedural rules and filing requirements. The formal complaint process is similar to federal court litigation, in that it involves a complaint, answer, reply, motions, briefs, and discovery. If you are interested in filing a formal complaint, I can discuss this with you.

As you and I also discussed, it is very helpful to the Commission to hear from consumers like you and our enforcement actions and rule makings can be informed by consumer complaints like yours. As such, I very much appreciate you bringing your concerns to our attention in the form of an informal complaint. On our next phone call, we can discuss additional steps you can take if the informal complaint process was not satisfactory to you.

Finally, in regard to filing a request under the FOIA, this FCC webpage provides information about how to file a FOIA request: <https://www.fcc.gov/general/foia-0>

The FCC uses “FOIAonline” to manage FOIA requests. With FOIAonline you can submit FOIA requests online and track the status of requests. To file a FOIA request for records kept by the FCC, please go to FOIAonline: <https://foiaonline.regulations.gov/foia/action/public/home>

Choose "Make a FOIA Request" and, using the drop down menu, select Federal Communications Commission.

In addition, this FCC webpage provides specific information about how to file a FOIA request with the FCC and also provides a point of contact at the FCC if you have questions about this process: <https://www.fcc.gov/reports-research/guides/how-file-foia-request>

I hope this information is helpful to you. I am looking forward to talking with you again on Monday at 4:00 pm eastern, 3:00 pm central.

Best –
Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: Ombudsperson
Sent: Sunday, November 22, 2015 5:20 PM
To: (b) (6)
Subject: RE: Internet Services

(b) (6)

Thank you for contacting the Federal Communication Commission's Open Internet Ombudsperson. The concern that you raised, involving service interruptions for mobile internet access, may relate to our Open Internet rules.

If you would like to file a complaint, you can use the link below and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Or you may contact the Consumer Help Center at (888) 225-5322 to file your complaint. If you file a complaint, Virgin Mobile will be required to respond to you in writing in thirty days.

Thank you.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: (b) (6)
Sent: Sunday, November 22, 2015 11:08 AM
To: Ombudsperson
Subject: Internet Services

I would like to know if there is any option for a consumer of internet services- to know when an internet company advertise as a non-contract/unlimited data & internet services- but limit your service once you pay? Such as stopping/interrupting your service several times a day. As a Senior on a fixed income & being the only way to communicate w/family across the country-I find it to be disturbing that they can be so deceitful in their practices & not be held accountable. I don't know if you have any other complaints against the company (Virgin Mobile)- if you do-add me as an unhappy customer also. Thank you. (b) (6)

Mike Hennigan

From: Ombudsperson
Sent: Friday, October 02, 2015 2:34 PM
To: (b) (6)
Subject: RE: Internet service

Follow Up Flag: Follow up
Flag Status: Completed

Thank you for your email. If you have not already done so, please file your complaint online.

You may file your complaint on line by accessing the FCC's Consumer Help Center:

<https://consumercomplaints.fcc.gov>

Also of interest may be the following consumer guide:

<https://consumercomplaints.fcc.gov/hc/en-us/articles/204231404-Open-Internet>

Thanks again.

From: (b) (6)
Sent: Friday, October 02, 2015 1:42 PM
To: Ombudsperson
Subject: Internet service

To whom it may concern,

In Vernal, Utah does one have to be Mormon to receive a reliable internet connection? I ask this question in this manor based on observations of how Strata and it's techs conduct themselves.

July 14-15 2015 is the date of service install at our residence of (b) (6). On the day of install, the tech did state that there were issues regarding the system where we live, a construction crew had hit a buried cable line and the issue would be corrected shortly. Two weeks later is when that issue was resolved on Strata's end, supposedly. That's when our connectivity issues began.

We called tech support, they sent someone out to assess the situation. The tech that arrives within 10 minutes of being at our residence decides to start asking some very personal questions that has nothing to do with the internet service he is tasked to repair. Our personal beliefs, as far as religion goes, should have no bearing on the quality of service we receive for a paid subscription service.

Once the tech found out my beliefs were not the same as his, he was ready to leave without repairing the issue. I asked when it would be resolved and he replied with maybe this afternoon. The next day we went to Strata's office and filed a complaint. They send another tech out with explicit warning to not talk about religion. Which I thought was normal professional behavior for anyone employed now days.

Tech 2 informed me that he believes angels procreated with humans and that's how giants came about. Seriously, how does this have anything to do with the issues regarding our internet connectivity? He also stated a neighbor dug a root cellar, cut into the cable line and tried to repair it. He then stated he was not going to charge the neighbor for repairs and then spliced the line and said it was band aided.

8/24/2015 1pm to 4pm no internet.

8/25. 1pm to 8:30pm no internet

Speed test results 7.2 Mbps down 1.4 Mbps up @ 8:30pm.

8/27. 1pm to 1:45pm 7.6 down 1.4 up

8/28. 3pm to 8:27pm 9.7 down 1.2 up

8/29. 11:50am 191.1kbps down 1.4Mbps

4:30pm 33.3 kbps down 1.2 up

8/30. 3:03pm service resumed @ 9.8 down 1.3 up

9/1. 7:18 pm service resumed @ 8.0. down 1.8 up

9/20. 8am to 8:44pm 9.6 down 1.5 up

9/21. 5pm service resumes 7.1 down 1.4 up

9/22. 8:15 service resumes 11.9 down 1.6 up.

10/1. no service.

10/2. 11:06 am 327.8 kbps down 1.7 up

We subscribe to to Strata's 15Mbps service. Tech 2 stated that 13Mbps should be to be able to be achieved at our location and thats what we expect. Our next step will involve the FCC and every organization that will help resolve this issue.

Regards,

(b) (6)
[Redacted signature block]

Sent via the Samsung Galaxy S® 5 ACTIVE™, an AT&T 4G LTE smartphone

Mike Hennigan

From: Ombudsperson
Sent: Tuesday, July 14, 2015 3:13 PM
To: (b) (6) Ombudsperson
Subject: RE: Internet question.

Follow Up Flag: Follow up
Flag Status: Completed

Hi (b) (6)

Thank you for your email. If you have not already done so, please file your complaint online.

You can use the below link and select "Open Internet" as the " Internet issue" for which you are filing the complaint:
https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Thanks again.

-----Original Message-----

From: (b) (6)
Sent: Tuesday, July 14, 2015 2:03 PM
To: Ombudsperson
Subject: Internet question.

I have service with a smaller phone company. Yesterday we called to cancel our tv and landline. And we wanted to increase the speed of the Internet. We did this because the cost for all services has gotten to expensive now that we live on a fixed income. According to their website the cost for Internet only at 10 mbs is 79.95 per month. They then proceeded to tell us there was a 25.00 fee since we were not keeping our landline. Is this legal?????? It's bad enough they charge much higher rates then everyone else but Our son gets 5 times the speed for half as much money no landline required. You can look them up at rye telephone.com.

I look forward to hearing from you.

(b) (6)
Sent from my iPhone

Mike Hennigan

From: Ombudsperson
Sent: Friday, February 05, 2016 4:25 PM
To: (b) (6)
Subject: RE: Internet Fee Question

(b) (6)

Thank you for contacting the FCC's Open Internet Ombudsperson. The concern that you raise below, regarding AT&T's internet access fees, relates to the Open Internet. As such, you are welcome to file a complaint with us on this subject. If you file a complaint, we will serve your complaint on AT&T and AT&T will be legally required to respond to you in writing in 30 days.

If you would like to file a complaint, you can use this link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

If you file a complaint and AT&T's response is not satisfactory to you, please let me know.

Thank you.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: (b) (6)
Sent: Friday, February 05, 2016 3:20 PM
To: Ombudsperson
Subject: Internet Fee Question

AT&T has increased our monthly Uverse Internet access fee by 100%. We would like to find out how we can address this increase as it seems punitive. How can we do this?

Thank you,

(b) (6)

(b) (6)

(b) (6)

(b) (6)

"Don't cry because it's over. Smile because it happened." - Dr. Seuss



Get a signature like this: [Click here!](#)

Mike Hennigan

From: Ombudsperson
Sent: Friday, April 15, 2016 3:13 PM
To: (b) (6)
Subject: RE: Internet frustrations

(b) (6)

It was good talking with you today. We discussed your concerns with (1) deployment (the broadband options in Rockton); (2) the transparency of Frontier with regard to the performance offered in Rockton; and (3) the transparency of HughesNet with regard to the performance offered in Rockton.

The FCC is committed to promoting broadband deployment and consumer choice. And the FCC provides financial support to encourage deployment of competitive options in underserved areas. That being said, broadband deployment is not required under our Open Internet rules. Your county government may have entered into a cable franchise agreement that may have deployment commitments in your area and I encourage you to follow up with your local government about potential ways to facilitate deployment.

Our Open Internet rules, however, require broadband providers to be transparent about the services they offer consumers. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- **“A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings.”**

The text of this rule is available on this US Government Publishing Office website: http://www.ecfr.gov/cgi-bin/text-idx?SID=1dc502117c40e9ef4ff7fc65c7bddacd&mc=true&node=se47.1.8_13&rgn=div8

If you are concerned that Frontier or HughesNet are violating our transparency rule, I encourage you to file a complaint with the FCC's Consumer Help Center. If you file a complaint, we will serve the complaint on your provider and your provider will be legally required to respond to you and us in writing within 30 days. If you have concerns about multiple providers, I encourage you to file them separately, with each complaint addressing your specific concerns with each provider. Once your provider responds to you, I am happy to discuss the response with you and additional steps you may take. Additionally, if you file a complaint, you can email me the ticket number, and I will monitor the complaint in our system.

If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

When filing a complaint, you should specifically describe your concerns, clearly reference the rule that you think may have been violated, and precisely explain why you think a violation of that rule may have occurred. You are welcome to upload supporting documentation and screen shots of speed tests.

For your reference, I have attached a consumer guide on our transparency rule and a copy of our Open Internet order.

If you have any questions, feel free to be in touch.

Thank you again for reaching out to FCC's Open Internet Ombudsperson.

Best –
Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |



FCC-15-24A1_O...



Open-Internet-Tr...

-----Original Message-----

From: (b) (6)
Sent: Saturday, April 09, 2016 4:08 PM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Internet frustrations

To Whom It May Concern,

I have lived at my present address (b) (6) for about 12 years now. The use of computers has becoming and will continue to be increasingly important, and our internet has become increasingly worse! We are currently paying for two separate internet providers in order to attempt to have consistent internet. In both cases, Frontier and HughesNet, have marketed themselves as giving us at least double of the download speeds that we are getting. They have both conducted speed tests with us and agree that they are not able to get the correct speeds to us. Our current download speeds rarely achieve 1MG, and are most often under .5MG. It is not rare to be under .2MG! We are restarting our modems several times a day.

Nearly a year ago, Frontier had told us that they were upgrading the lines in several communities - ours being one of them. They explained that, like road construction, things will get worse before they get better. At that time, our connections speeds were slow, but still markedly better than now - around 1.5 download. We have always been told that we should expect 3MG on the low side. So, we tried to be patient as "construction" brought our internet to a near stop. I called Frontier's customer service - I even questioned the legality of being charged for services we are not receiving! A week or more later, I received a call back from them. I was told (this was about 2 weeks ago) that the list of communities that were receiving upgrades, ours being one - has been changed and our community fell off the list!! Our internet problems are here to stay with no resolution "except lump it and pay for your lump."

My husband spent a lengthy amount of time talking with HughesNet, and they didn't have a solution for us either, but told us they "would call us once they come up with a solution." We have a large Bed & Breakfast next door and I know they have complained as well. We have looked into the possibility of putting up a tower - as we have just under 9 acres - but with no guarantees from anyone and a large expense - it seems like a weak bet to place. Especially in light of the fact that there is a tower about a mile from here that went up about 4 years ago that never got anything put on it! I haven't been able to track down what happened to it, but that is the last thing we want to do - to run into red tape and have an unsightly tower for no purpose on our property.

This afternoon, I spoke with Tim from the business side of Frontier in hopes that if we ramped up the business that we started up several years ago, maybe we could justify, a commercial T1 line to the house. My ex-husband ran an internet business about 10 years ago, partly from our home (same address) and we had that service at that time, but it cost around \$1000/month. I can't do that, but maybe prices have come down - was my thinking. Tim from Frontier, did some digging and seemed slightly confused and said that the map of Frontiers internet services, that we was looking at and included residential, didn't even include our address! He referred me to their satellite option, but since we have had several companies that offer satellite internet tell us they can't help us, I am doubtful. Still, we continue to pay for 2 internet providers, because we don't have a choice.

We've gone to the extreme of seriously considering moving! The problem is we have a very nice home and it will not be easy to sell - even if we price it to sell - especially in light of this issue.

I know, being a governmental position, you are probably inundated with complaints, and I am no more special than all the other complaints. There is part of me that thinks I won't even get your attention. We really have no where else to turn! Any help you could give my family and surrounding neighbors would be greatly appreciated.

Trying to remain hopeful,

(b) (6)

Mike Hennigan

From: Ombudsperson
Sent: Friday, December 09, 2016 9:49 AM
To: (b) (6)
Subject: RE: Internet Data Caps
Attachments: FCC-15-24A1_Open_Internet_Order.pdf

(b) (6)

Thank you for contacting the FCC's Open Internet Ombudsperson. In your email you raise a concern about Comcast's data usage policies and whether these policies harm the Internet and consumers.

In the Open Internet Order (attached) the Commission recognized that there are differing views over data usage allowances (also called "data caps"), specifically in cases where once a cap has been used the speed at which the end user can access the Internet may be reduced to a slower speed, or the end user may be charged for excess data. See para. 153 of the attached Order. The Commission recognized potential consumer benefits from such policies but also the potential for ISPs to use data caps to disadvantage competing over the top providers. Given the unresolved debate about such policies, the Commission did not make a blanket finding about such policies. The Commission indicated that concerns about such policies will be addressed on a case-by-case basis. As such, issues concerning data usage limitations will likely be addressed under the Commission's general conduct standard, which is the following:

47 Code of Federal Regulations § 8.11 – No unreasonable interference or unreasonable disadvantage standard for Internet conduct

- "Any person engaged in the provision of broadband Internet access service, insofar as such person is so engaged, shall not unreasonably interfere with or unreasonably disadvantage (i) end users' ability to select, access, and use broadband Internet access service or the lawful Internet content, applications, services, or devices of their choice, or (ii) edge providers' ability to make lawful content, applications, services, or devices available to end users. Reasonable network management shall not be considered a violation of this rule."

See also para. 136 of the attached order.

If you are concerned about the service that you are receiving from Comcast, the adequacies of Comcast's disclosures, and/or that Comcast is violating our rules, you are welcome to file an informal complaint with the FCC's Consumer Help Center. If you file an informal complaint, we will serve the complaint on Comcast and Comcast will be legally required to respond to you and us in writing within 30 days. Once Comcast responds to you, I can discuss the response with you and additional steps you may take.

If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824 When filing a complaint, you should specifically describe your concerns, clearly reference the rule that you think may have been violated, and precisely explain why you think a violation of that rule may have occurred, with quotation of the rule as appropriate.

If, alternatively, you would like to file a public comment about our Open Internet rules, you are welcome to do so through our Electronic Comment Filing System (ECFS) in our Open Internet proceeding, number 14-28:

https://www.fcc.gov/ecfs/search/filings?proceedings_name=14-28&sort=date_disseminated,DESC

This is the link for the express filing form and you can enter proceeding number 14-28 on this page to file a comment in the Open Internet proceeding: <https://www.fcc.gov/ecfs/filings>

If you have any further questions, please let me know.

| [FCC Open Internet Ombudsperson](#) | ombudsperson@fcc.gov | (202) 418-1155 |

From: (b) (6)
Sent: Thursday, December 01, 2016 11:01 AM
To: Ombudsperson
Subject: Internet Data Caps

I have been referred to you to discuss my concerns about Internet Data Caps being employed by Internet Service Providers. Comcast is set to start enforcing a 1 Tb Data Cap on January 1, 2017. I would like to discuss with you why this move violates a Free & Open Internet and actually harms users.

You can also look at <https://www.reddit.com/r/Comcast/?> to see what other users are saying and how it will harm them. This is my email address and my cell phone number is below.

Thank you

(b) (6)

[REDACTED]

Mike Hennigan

From: Ombudsperson
Sent: Friday, January 29, 2016 12:56 PM
To: (b) (6)
Subject: RE: Internet Data Caps

(b) (6)

Thank you for contacting the FCC's Open Internet Ombudsperson. The concern that you raise below, regarding data usage policies, relates to the Open Internet. As such, you are welcome to file a complaint on this subject. If you file a complaint, we will serve your complaint on your provider and your provider will be legally required to respond to you in writing in 30 days.

If you would like to file a complaint, you can use this link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Or you may contact the Consumer Help Center at (888) 225-5322 to file your complaint.

If you file a complaint and your provider's response is not satisfactory to you, let me know.

Thank you.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: (b) (6)
Sent: Sunday, January 17, 2016 12:24 PM
To: Ombudsperson
Subject: Internet Data Caps

If the FCC doing anything to address internet companies' latest move to double fees over \$100/month per user for exceeding surprisingly low "data caps" of 300GB/month? This is less than 4 hours of total streaming per day (with most households having 5+ connected devices).

I am in the tech biz myself and I know from a technological standpoint that it doesn't cost them a penny more to deliver service. The fiber is in place and the companies are operating networks well over 100Gbps (gigabits per second). Most are doing 400Gbps these days due to advanced in PHY technology at the same cost.

Why are we being forced to "upgrade" our internet from \$50 to over \$100? The only answer is their declining revenue from cable.

This is a violation of net neutnet neutrality.

Sent from my mobile

Mike Hennigan

From: Ombudsperson
Sent: Thursday, June 18, 2015 9:49 AM
To: (b) (6)
Subject: RE: Internet Access

Follow Up Flag: Follow up
Flag Status: Completed

Thank you for your email. If you'd like to file a complaint regarding your Internet service, please file your complaint online.

You can use the below link:

https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

Thank you.

From: (b) (6)
Sent: Wednesday, June 17, 2015 2:52 PM
To: Ombudsperson
Subject: Internet Access

I reside in Aguadilla , Puerto Rico and where my home is located (b) (6) , the only company available for internet service is CLARO/PRTC . There's no satellite provider, Wi Fi or cable provider that could service my street (cable is just around the corner from my street) , and on top of this the highest download speed is .250 MB which is ridiculous . The minimum speed they are supposed to supply is .500 MB which is what I'm paying for. They have told me that the slow speed is caused by an overcharged system and the far distance from where their ports are located . This situation has been the same for years , and they keep promising that the will update the systems , but nothing has been done . Since I don't have any other choice (which in my book sounds like a monopoly) I will have to stick with CLARO and hope something is done in the near future. If there are any suggestions from your office , they will be appreciated. Sincerely , (b) (6)

Mike Hennigan

From: [REDACTED]
Sent: Wednesday, October 19, 2016 10:20 AM
To: Ombudsperson
Subject: Our internet problems

Follow Up Flag: Follow up
Flag Status: Completed

October 19, 2016

Hello:

We've been Verizon customers for many years...several of those years we had VerizonWireless as well. I don't recall the year that DSL was available to us, but we jumped on it immediately. We understood that we weren't going to have *fast* internet because of our location but, at least we wouldn't have to be stuck with dial-up. Our service wasn't "great": it was slow; we couldn't do our necessary "surfing" including downloading schoolwork at the same time; any videos had to be done at the library; etc, but we had use of the internet and the telephone at the same time. It *did* work and reliably downloaded email and allowed us to use the internet.

Over three years ago we took a lightning strike. We lost the router, one computer and the box on the TV (not the TV itself), but nothing else in the system—the other TV, another computer on the line, or the DirecTV box. From that time 'til now, we've had a stream of never-ending problems. I had spent countless hours on the phone with "Tech Support" in India (and Philippines) and logged most of them--documenting the times the service went down, time on the phone, who I spoke with and decisions made. Verizon recognized that we had **many** problems on the line, but never seemed to isolate them. According to them, we did have more than one issue, but we should be grateful that we have service at all because of our distance from the hub. (We *did* have reliable, reasonable (slow) internet prior to the strike.) Our distance from the hub *obviously* did not change!!) But, they repaired or replaced many of the components anyway. Another weird symptom we experienced after the lightning strike: for about a year(?), it seemed that the DSL service went down when it was raining, or going to rain. The satellite reception was fine. They say there is no correlation there, but we feel it was more than coincidental.

We went a little while—maybe a year?—before we started having non-stop issues again. The calls to India were futile. I was told everything from "we see nothing wrong" to "you have serious problems on your line" to "if you would just update to the 3M service, all your problems would be solved." (Currently, they have us at 864 kbps down and 157 kbps up. There have been rare occasions of having 1.1M—no higher) Since we didn't have another option for "hi-speed" internet, we had to stay with Verizon. Miraculously, I found the email addresses of the Executive Board, and it was only by contacting them that I received more in-depth support. Since they couldn't find anything else, they decided there was too much traffic on the line.

My questions to you: If our service issues have to do with "traffic", why have we needed 8 routers/modems replaced? (one of which burned up within a day?) Why have the problems been so erratic and seemingly unrelated? And, lastly, if Verizon KNOWS of the "traffic" issues in the entire Old Church/King William area, why don't they *do* something about it? (I've been told, by someone in the Verizon business office, that they are no longer supporting DSL, thus their customers)

I'm sorry to have kept you so long. I have tried every avenue, save going to the media, to get to the bottom of this. It has gotten to the point that we have to use our iPhone HotSpots to access our mail, or have basic internet capabilities. (I can't even update my computer, or phones, or download photos without going elsewhere.) If Verizon KNOWS they have

too much traffic, why do they continue to add more customers to ensure our shoddy service? What other options do we have, other than satellite?

Thanks ever so much,

(b) (6) [REDACTED]

[REDACTED]
[REDACTED]

Mike Hennigan

From: Ombudsperson
Sent: Thursday, July 21, 2016 5:03 PM
To: (b) (6)
Subject: Open Internet rules
Attachments: FCC-15-24A1_Open_Internet_Order.pdf; openinternet_consumer_guide.pdf

(b) (6)

Thank you for contacting the FCC's Open Internet Ombudsperson. You appear to be asking for the FCC to send you the Open Internet rules in electronic form. The Open Internet order is attached and the order includes the Open Internet rules. For your convenience, also attached is a consumer guide about the Open Internet rules. You may also want to review the FCC's website on the Open Internet:

<https://www.fcc.gov/general/open-internet>

You also mentioned asking for a clarification. If you specify the clarification that you seek, we may be able to provide it.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: Ombudsperson
Sent: Wednesday, July 13, 2016 2:00 PM
To: (b) (6)
Subject: Open Internet Transparency rule
Attachments: Open-Internet-Transparency-Rule.pdf; FCC-15-24A1_Open_Internet_Order.pdf

(b) (6)

Thank you for contacting the Federal Communications Commission's Open Internet Ombudsperson.

As I understand it, you are concerned about speed of the Internet service that Frontier is offering to you and whether Frontier is adequately disclosing available speeds to its customers.

Initially, let me say that the FCC is committed to promoting broadband deployment, competition, and consumer choice. We have a number of proceedings that advance these goals and we provide financial support to encourage increased deployment of broadband in underserved areas. That being said, broadband deployment at particular speeds is not required under our Open Internet rules.

Our Open Internet rules, however, require broadband providers to disclose accurate information about the services they offer consumers so that consumers can make informed choices about the broadband services that they purchase. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- **"A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings."**

For your reference on the transparency rule, I have attached two pdfs to this email: (1) an FCC consumer guide on the transparency rule, and (2) the Open Internet Order, which the Commission adopted in February 2015. See, specifically, paragraphs 23-24, and 154-185 of the Order for discussions of the transparency rule.

If you are concerned about the level of service you are receiving from Frontier and/or that Frontier is violating our transparency rule, you are welcome file a complaint with the FCC's Consumer Help Center. If you file a complaint, we will serve the complaint on Frontier and Frontier will be legally required to respond to you and us in writing within 30 days. Once Frontier responds to you, I am happy to discuss the response with you and additional steps you may take. Additionally, if you file a complaint, you can email me the complaint ticket number (which you will receive after filing it), and I will monitor the complaint in our system.

If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

When filing a complaint, you should specifically describe your concerns, clearly reference the rule that you think may have been violated, and precisely explain why you think a violation of that rule may have occurred with quotation of the rule as appropriate. You are welcome to upload supporting documentation and screen shots of speed tests.

Thank you again for contacting me and if you have any questions, feel free to be in touch.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: Ombudsperson
Sent: Friday, July 22, 2016 3:32 PM
To: (b) (6)
Subject: Open Internet rules
Attachments: Open-Internet-Transparency-Rule.pdf; FCC-15-24A1_Open_Internet_Order.pdf; FCC-15-25A1_Municipal_Broadband.pdf

(b) (6)

Thank you for contacting the FCC's Open Internet Ombudsperson and speaking with me on the phone yesterday. As I understand it, you are concerned about the satellite broadband available in to you, particularly in regard to data usage limitations. More generally you are concerned about the options that you have for broadband in your area.

Initially, let me say that the FCC is committed to promoting broadband deployment, competition, and consumer choice. We have a number of proceedings that advance these goals and we provide financial support to encourage increased deployment of broadband in underserved areas. That being said, broadband deployment at particular speeds or with particular technology is not required under our Open Internet rules.

Our Open Internet rules, however, require broadband providers to disclose accurate information about the services they offer consumers so that consumers can make informed choices about the broadband services that they purchase. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- **"A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings."**

For your reference on the transparency rule, I have attached two pdfs to this email: (1) an FCC consumer guide on the transparency rule, and (2) the Open Internet Order, which the Commission adopted in February 2015. See, specifically, paragraphs 23-24, and 154-185 of the Order for discussions of the transparency rule.

With regard to your ISP's data usage policies, in the Open Internet Order the Commission recognized that there are differing views over data usage allowances (also called "data caps"), specifically in cases where once a cap has been used the speed at which the end user can access the Internet may be reduced to a slower speed, or the end user may be charged for excess data. See para. 153 of the attached Order. The Commission recognized potential consumer benefits from such policies but also the potential for ISPs to disadvantage competing over the top providers. Given the unresolved debate about such policies, the Commission did not make a blanket finding about such policies. The Commission indicated that concerns about such policies will be addressed on a case-by-case basis. As such, issues concerning data usage limitations will likely be addressed under the Commission's general conduct standard, which is the following:

47 Code of Federal Regulations § 8.11 – No unreasonable interference or unreasonable disadvantage standard for Internet conduct

- **"Any person engaged in the provision of broadband Internet access service, insofar as such person is so engaged, shall not unreasonably interfere with or unreasonably disadvantage (i) end users' ability to select, access, and use broadband Internet access service or the lawful Internet content, applications, services, or**

devices of their choice, or (ii) edge providers' ability to make lawful content, applications, services, or devices available to end users. Reasonable network management shall not be considered a violation of this rule."

See also para. 136 of the attached order.

If you are concerned about the service that you are receiving from your provider, the adequacies of your provider's disclosures, and/or that your provider is violating our rules, you are welcome to file an informal complaint with the FCC's Consumer Help Center. If you file an informal complaint, we will serve the complaint on your provider and your provider will be legally required to respond to you and us in writing within 30 days. Once your provider responds to you, I can discuss the response with you and additional steps you may take.

If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint: https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

When filing a complaint, you should specifically describe your concerns, clearly reference the rule that you think may have been violated, and precisely explain why you think a violation of that rule may have occurred, with quotation of the rule as appropriate.

If, alternatively, you would like to file a public comment about our Open Internet rules, you are welcome to do so through our Electronic Comment Filing System (ECFS) in our Open Internet proceeding, number 14-28: https://www.fcc.gov/ecfs/search/filings?proceedings_name=14-28&sort=date_disseminated,DESC

This is the link for the express filing form and you can enter proceeding number 14-28 on this page to file a comment in the Open Internet proceeding: <https://www.fcc.gov/ecfs/filings>

Last, one the other issues that we discussed on the phone was municipal broadband. A number of municipalities have partnered with local electrical utilities to provide broadband to local residents. The FCC recently took action to preempt state laws that prohibited municipal broadband. Attached is the preemption order that I mentioned.

Best –
Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: Ombudsperson
Sent: Tuesday, August 02, 2016 6:35 PM
To: (b) (6)
Subject: Open Internet rules; process for filing a formal complaint
Attachments: Open-Internet-Transparency-Rule.pdf; FCC-15-24A1_Open_Internet_Order.pdf; FCC-15-63A1_ATT_NAL.pdf; CFR-2012-title47-vol1-part8.pdf; FCC-10-201A1_Rcd_2010_OI_Order.pdf

(b) (6)

Thank you for the call today and thank you for contacting the FCC's Open Internet Ombudsperson. I understand that you are concerned about AT&T's policies regarding unlimited wireless data plans, specifically whether these policies violate our Open Internet rules, and that you are interested in information about filing a formal complaint.

Our Open Internet rules require broadband providers to disclose accurate information about the services they offer consumers so that consumers can make informed choices about the broadband services that they purchase. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- **"A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings."**

For your reference on the transparency rule, I have attached two pdfs to this email: (1) an FCC consumer guide on the transparency rule, and (2) the Open Internet Order, which the Commission adopted in February 2015. See, specifically, paragraphs 23-24, and 154-185 of the Order for discussions of the transparency rule.

As we discussed, AT&T was subject to a Notice of Apparent Liability (NAL) in 2015 related to the marketing of unlimited plans. The NAL is attached for your reference.

Regarding the process for filing formal complaints: In 2010, the Commission adopted streamlined procedures for filing formal complaints concerning our Open Internet rules. You can find these streamlined procedures at 47 CFR 8.12 through 47 CFR 8.17 (see pages 705 to 710 in the attached pdf of the Code of Federal Regulations) and these procedures are discussed in the 2010 Open Internet rules at paras. 154 to 159 (attached). The 2010 Open Internet rules were largely overturned on appeal, but the streamlined formal complaint process for Open Internet matters was not overturned. The 2015 Open Internet order affirmed the streamlined formal complaint process for Open Internet matters and made some additional revisions, for example the filing of formal complaints electronically rather than by hand delivery. See paras. 259 to 265 of the 2015 Open Internet Order. Formal complaints are adjudicated by our [Market Disputes Resolutions Division](#).

I can discuss the requirements for filing a formal complaint with you and can also connect you with relevant staff at the FCC. Additionally, below is some general information about filing an formal complaint:

- **Formal Complaints:** Unlike informal complaints, formal complaints involve detailed procedural rules and filing requirements. The formal complaint process is similar to federal court litigation, in that it involves a complaint, answer, reply, motions, briefs, and discovery. Unlike federal court litigation, however, complainants in formal

section 208 complaints are required to provide detailed facts and proof regarding all claims in the complaint itself, and discovery is usually not as expansive. Consequently, a formal complaint must contain as much factual support as possible at the filing stage. This can be in the form of sworn affidavits, and documentary evidence. Formal complaint proceedings are resolved by a written order issued by the Bureau or the full Commission.

Note that as I mentioned to you on the phone, Section 207 of the Communications Act is the election of remedies provision under the Act:

47 USC 207:

- Any person claiming to be damaged by any common carrier subject to the provisions of this chapter may either make complaint to the Commission as hereinafter provided for, or may bring suit for the recovery of the damages for which such common carrier may be liable under the provisions of this chapter, in any district court of the United States of competent jurisdiction; but such person shall not have the right to pursue both such remedies.

Section 207 means that the filing of a complaint with the FCC is your election to proceed on that path and not the path of filing the complaint in federal court. Under Section 207, you have the right to follow either path, but not both. Also note that some courts have taken the view that the filing of an informal complaint (not just a formal complaint) constitutes an election of remedies under Section 207 of the Act. If you are concerned about this, you can contact our Market Disputes Resolution Division to discuss it further.

If you have any questions or if I can be of any other assistance, feel free to be in touch.

Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: Ombudsperson
Sent: Tuesday, August 02, 2016 3:17 PM
To: (b) (6)
Subject: Open Internet rules; Complaint process
Attachments: Open-Internet-Transparency-Rule.pdf; FCC-15-24A1_Open_Internet_Order.pdf

(b)

Thank you for the call the other day and thank you for contacting the FCC's Open Internet Ombudsperson. I understand that you are interested in filing an informal complaint with the FCC about your internet service provider and, more specifically, that you have concerns about the disclosures that your provider has made to you.

Our Open Internet rules require broadband providers to disclose accurate information about the services they offer consumers so that consumers can make informed choices about the broadband services that they purchase. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- **“A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings.”**

For your reference on the transparency rule, I have attached two pdfs to this email: (1) an FCC consumer guide on the transparency rule, and (2) the Open Internet Order, which the Commission adopted in February 2015. See, specifically, paragraphs 23-24, and 154-185 of the Order for discussions of the transparency rule.

If you are concerned about the service that you are receiving from your provider, the adequacies of your provider's disclosures, and/or that your provider is otherwise violating our rules, you are welcome to file an informal complaint with the FCC's Consumer Help Center. If you file an informal complaint, we will serve the complaint on your provider and your provider will be legally required to respond to you and us in writing within 30 days. Once your provider responds to you, I can discuss the response with you and additional steps you may take.

If you would like to file a complaint, you can use the below link and select "Open Internet" as the "Internet issue" for which you are filing the complaint:

https://consumercomplaints.fcc.gov/hc/en-us/requests/new?ticket_form_id=38824

When filing a complaint, you should specifically describe your concerns, clearly reference the rule that you think may have been violated, and precisely explain why you think a violation of that rule may have occurred, with quotation of the rule as appropriate.

If you have any questions about any of the above, feel free to be in touch.

Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: Ombudsperson
Sent: Friday, July 29, 2016 5:54 PM
To: (b) (6)
Subject: Open Internet - Information on filing a formal complaint
Attachments: CFR-2012-title47-vol1-part8.pdf; FCC-10-201A1_Rcd_2010_OI_Order.pdf; FCC-15-24A1_2015_Open_Internet_Order.pdf

(b)

In 2010, the Commission adopted streamlined procedures for filing formal complaints concerning our Open Internet rules. You can find these streamlined procedures at 47 CFR 8.12 through 47 CFR 8.17 (see pages 705 to 710 in the attached pdf of the Code of Federal Regulations) and these procedures are discussed in the 2010 Open Internet rules at paras. 154 to 159 (attached). The 2010 Open Internet rules were largely overturned on appeal, but the streamlined formal complaint process for Open Internet matters was not overturned. The 2015 Open Internet order affirmed the streamlined formal complaint process for Open Internet matters and made some additional revisions, for example the filing of complaints electronically rather than by hand delivery. See paras. 259 to 265 of the 2015 Open Internet Order (also attached).

I can discuss the requirements for filing a formal complaint with you and can also connect you with relevant staff at the FCC. Additionally, below is some general information about filing an formal complaint:

- **Formal Complaints:** Unlike informal complaints, formal complaints involve detailed procedural rules and filing requirements. The formal complaint process is similar to federal court litigation, in that it involves a complaint, answer, reply, motions, briefs, and discovery. Unlike federal court litigation, however, complainants in formal section 208 complaints are required to provide detailed facts and proof regarding all claims in the complaint itself, and discovery is usually not as expansive. Consequently, a formal complaint must contain as much factual support as possible at the filing stage. This can be in the form of sworn affidavits, and documentary evidence. Formal complaint proceedings are resolved by a written order issued by the Bureau or the full Commission.

Note that as I mentioned to you on the phone, Section 207 of the Communications Act is the election of remedies provision under the Act:

47 USC 207:

- Any person claiming to be damaged by any common carrier subject to the provisions of this chapter may either make complaint to the Commission as hereinafter provided for, or may bring suit for the recovery of the damages for which such common carrier may be liable under the provisions of this chapter, in any district court of the United States of competent jurisdiction; **but such person shall not have the right to pursue both such remedies.**

Section 207 means that filing of a complaint with the FCC is your election to proceed on that path and not the path of filing the complaint in federal court. Under Section 207, you have the right to follow either path, but not both. Also note that some courts have taken the view that the filing of an informal complaint (not just a formal complaint) is an election of remedies under Section 207 of the Act. If you are concerned about this, you can contact our Market Disputes Resolution Division to discuss this before filing an informal or formal complaint.

If you have any questions, feel free to be in touch.

Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: (b) (6)
Sent: Sunday, June 28, 2015 1:39 AM
To: Ombudsperson
Subject: Open Internet/Net Neutrality

Follow Up Flag: Follow up
Flag Status: Completed

I don't want to get anyone in trouble and have been a long time AT&T Customer because I rarely have issues, but when I do, they are resolved promptly. I am operating under the assumption that built-in Android/iPhone WiFi hot spot functionality should be enabled, regardless of whether you have another plan.

I live in an area with poor cellphone and power coverage so I would like the ability to use the built in functionality instead of download another application that may or may not contain adware and/or spyware.

Also, the formatting of this email not be constructed properly

I contacted AT&T regarding the new rules that went into effect to prevent Service Providers such as AT&T, from blocking Wi-Fi Hotspot applications, specifically Android Phone Tethering enabled.

I believe this was not appropriate, nor in compliance with Neutrality
Before the
Federal Communications Commission
Washington, D.C. 20554

)
In the Matter of)
Protecting and Promoting the Open Internet) GN Docket No. 14-28
)

Web-Chat with AT&T listed below:

6/27/2015

AT&T: Hello! How may we help you today?

Jeram.f': Hi there! I can help you with your concern. May I have your wireless number and your name please?

Me: sure, (b) (6)

Jeraffl.f': Thanks (b) (6) how may I help you today? ;)

Me: According to the FCC Net Neutrality Regulations that went into effect, Mobile Hot..Spots on can no longer be restricted. I recently purchased a Galaxy 63 Edge and need to enable the built in WiFi Hotspot

Feature w/out losing my Unlimited Data and Messaging Plan

Me: Also, I need help finding covers for the Samsung Galaxy S6 Edge that are compatible with Qi Induction capable chargers.

Ma: sorry, first typing should have been Galaxy S6 Edge, not S6 Edge (no morning coffee yet)

Jeram.f': Upon checking here (b) (6) the hotspot for unlimited data is still an ongoing debate, we still do not have the option to turn it on just yet.

Me: I know court findings have been filed, but since the regulations have been published the regular effective date and the Supreme Court denied an injunction, they should be within compliance

Jeram.f': I understand where you are coming from, but since the case is still on going, and we don't have the new rule for data unlimited, we still don't have the option to turn the wifi hotspot for unlimited data customers :(

Me: Understood. 2nd question, are there currently any covers for the S6 Edge that are compatible with inductive charging. And 3rd question, I have (b) (6) which affects my ability to go out in public, and would like to purchase one of the new Micro-Cell Devices for my home due to lack of sufficient coverage from regional cell towers. Can I purchase one online due to my disability that affects my ability to purchase in-store

Me: purchase one* micro-cell in-store

Jeram.f': Thanks (b) (6), I totally understand, yes we can order a microcell online and have it delivered. I am currently searching for the S6 Edge cover you are looking for just a minute

Me: Thanks. Please make sure the Micro-cell is the new model (black in color) as opposed to older model (orange, white, & gray)

<https://www.att.com/scripts/touchcommerce/inqChat.html?IFRAME 1/6 6/27/2015>

Jeram.f': Upon checking here (b) (6), we don't have access to covers, is there a number where I can call you so I can transfer you over to our sales department, they might have the specific cover you are looking for plus we can order the microcell with them

Me: Unfortunately incoming phone calls trigger (b) (6), which is why I prefer chat. I also have difficulty with (b) (6) without (b) (6)

Jeram.f': I see, let me check with them if I can go ahead and order it on your behalf

Ma: thanks

Jeram.f': No problem

Jeram.f': Can you check this cover, if that would fit your need

<http://www.att.com/cases/pelican-protector-case-samsung-galaxy-s-6-edge.html#sku=sku7520750>

Ma: The case fits my phone, but I am looking for one that is compatible not only with the Galaxy S6 Edge, but also with the Qi Inductive

Chargers, like this one <http://www.samsung.com/us/mobile/cell-phonesaccessories/EP-PG9201BUGUS>

Jeram.f': I see, I ask our sales department (b) (6) and they said they don't have the cover for Inductive charger yet, we suggest to check Samsung

online store .

Me: ok, thanks. Do you need additional information for the Micro-cell purchase?

Jeraffi.f': Oh no, for Microcell purchase I will have to transfer you over to our support chat so you can order it, would that be okay?

Me: yep, that's fine

Jeram.f': Thanks, just a minuet

Jeraffi-F has left the chat

You are being transferred, please hold ...

AT&T: Please wait while a secure chat connection is established.

AT&T: Thank you for your patience. Please continue to wait.

Agent Danielle Arrington enters chat

Danielle Arrington: Good morning, my name is Danielle, am I speaking with (b) (6) ?

<https://www.att.com/scripts/touchcommerce/inqChat.html?IFRAME 2166/27/2015>

Me: yes, I am (b) (6)

Danielle Arrington: Thank you (b) (6), I see your chat has been transferred over to me and I'm able to see the transcript so I'm reading over it now.

Me: ok, thanks. In short, I have (b) (6) and was looking for purchase one of the new Micro-Cell devices to expand coverage in my home due to lack of coverage in the area. I would specifically like the new model (black) as opposed to the older White/Gray/Orange Devices

Danielle Arrington: I can assist you with this. I'm sorry to hear about the (b) (6) but let's see how we can help you

Danielle Arrington: Can you please verify your home address?

Me: thanks, I appreciate it

Danielle Arrington: Sean, can you please verify your home address?

Me: sure, (b) (6) Before that, (b) (6)

Me: not sure if I updated it when I moved ...

Danielle Arrington: Thank you for verifying your address for me. I'm going to see if we have the microcell available in your area and also if we have any offers for you as well.

Me: Thank you. I do have (b) (6) discounts, but not sure that those apply to ...

Danielle Arrington: The discount wouldn't apply to the microcell but I'll see what we can do for you.

Me: ok, thank you

Danielle Arrington: Sean, I'm not bringing up your wireless account. Is the (b) (6) phone number and AT&T cell phone number?

Me: (random question) Are there plans to release a 4G/4G L TE version?

Me: ah, sorry, that's google voice, my cellphone number is (b) (6) -

Danielle Arrington: Thank you for providing me with the wireless

<https://www.att.com/scripts/touchcommerce/inqChat.html?IFRAME 3/66/27/2015>

number.

Danielle Arrington: We unfortunately don't see if a newer version is being made for the microcell.

Me: This is the model I was looking for,

http://www.att.com/att/microcell/downloads/ATT_MicroCell_UserManual.pdf

Danielle Arrington: [REDACTED] in order for the microcell to work and boost the signal there has to be an internet connection. The microcell is not compatible with wireless, satellite or dial up internet service.

Danielle Arrington: Is your internet service either of those?

Me: understood, I have broadband connection (currently) through Comcast

Danielle Arrington: Great, I also see the microcell is available in your area as well.

Me: great, that's good news

Danielle Arrington: The microcell is \$149.99 +tax. I also see we have a \$75 mail in rebate available in your area as well, so that's good news also.

Me: great, I love discounts/rebates

Danielle Arrington: :-) Me too

Me: haha

Danielle Arrington: There is free standard shipping or you can upgrade to priority shipping for \$14.95.

Danielle Arrington: How would you like us to ship the device to you?

Me: Can you tell me the time difference on the shipping method?

Danielle Arrington: I certainly can, my apologies for not adding that part.

Me: no worries

Danielle Arrington: Standard shipping can take up to six business days and priority shipping is 1 to 2 business days.

<https://www.att.com/scripts/touchcommerce/inqChat.html?IFRAME 4166/27/2015>

Me: I'll go with priority shipping

Danielle Arrington: Great :)

Danielle Arrington: (b) (6) is the new address, correct?

Me: yes, that is correct

Danielle Arrington: Awesome. I am showing your email address as (b) (6)

Me: that is correct

Danielle Arrington: Wonderful. The total, including tax and added shipping cost is \$173.94.

Danielle Arrington: I am reading for the card number when you are.

Me: one moment

Me: (b) (6)

Me: Security Code: (b) (6)

Danielle Arrington: Thank you Sean, so I will charge \$173.94 to card ending in (b) (6) now.

Me: understood, thanks

Danielle Arrington: Sean, I've completed the order for you

Danielle Arrington: Your Order Number: (b) (6)

Me: thank you very much

Danielle Arrington: You will receive a confirmation email along with an email letting you know when your order has shipped.

Me: ok, thanks

Danielle Arrington: To get to the rebate on the AT&T website you will search Microcell Rebate and click the first link.

<https://www.att.com/scripts/touchcommerce/inqChat.html?IFRAME> 516

6/27/2015

Danielle Arrington: Scroll down and you will see FAQ

Danielle Arrington: Under "Billing I Account you will see ARE there rebates available ...

Danielle Arrington: The rebate form is right there.

Me: ok, thank you very much

Danielle Arrington: It was my pleasure. I'm glad I was able to get the microcell ordered for you and find a great rebate as well.

Danielle Arrington: What else can I help you with (b) (6).

Me: I think that will be everything

Danielle Arrington: (b) (6)

(b) (6) It is appreciated more than you think. Have a wonderful weekend and thank you for being a part of the AT&T family.:-)

Me: Thank you very much, I appreciate your help.

Me: Have a great day

Danielle Arrington: Thank you :-)

Thank you for chatting with us today. The agent has /elf this conversation. For further questions, please click the chat

button located on the right side of the screen.

<https://www.att.com/scripts/touchcommerce/inqChat.html?IFRAME> 616

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Thursday, February 16, 2017 4:33 PM
To: Ombudsperson
Subject: Open internet and net neutrality

I support an open internet and net neutrality, and I believe the FCC should continue to uphold that approach to the internet.

(b) (6)
[Redacted]
[Redacted]

Mike Hennigan

From: Ombudsperson
Sent: Friday, July 29, 2016 5:29 PM
To: (b) (6)
Subject: Open Internet - Information on filing an informal complaint
Attachments: FCC-15-24A1_Open_Internet_Order.pdf

(b)

Thank you for contacting the FCC's Open Internet Ombudsperson and speaking with me on the phone. As I understand it, you are concerned about your BIAS provider's policies regarding DSCP tags for VoIP traffic and whether these policies violate the FCC's Open Internet rules.

Our Open Internet rules prohibit broadband providers from engaging in blocking or throttling. These rules are as follows:

No Blocking - Open Internet Order, para. 15:

- "A person engaged in the provision of broadband Internet access service, insofar as such person is so engaged, shall not block lawful content, applications, services, or nonharmful devices, subject to reasonable network management."

No Throttling - Open Internet Order, para. 16:

- "A person engaged in the provision of broadband Internet access service, insofar as such person is so engaged, shall not impair or degrade lawful Internet traffic on the basis of Internet content, application, or service, or use of a non-harmful device, subject to reasonable network management."

Additionally, the Open Internet Order adopts a no unreasonable interference or unreasonable disadvantage standard for Internet conduct, which is as follows:

No Unreasonable Interference/Disadvantage - Open Internet Order, para. 21:

- "Any person engaged in the provision of broadband Internet access service, insofar as such person is so engaged, shall not unreasonably interfere with or unreasonably disadvantage (i) end users' ability to select, access, and use broadband Internet access service or the lawful Internet content, applications, services, or devices of their choice, or (ii) edge providers' ability to make lawful content, applications, services, or devices available to end users. Reasonable network management shall not be considered a violation of this rule."

Reasonable network management is an exception to the no blocking, no throttling and no unreasonable interference/disadvantage rules and is defined as follows:

Reasonable network management – Open Internet Order, para. 32:

- A network management practice is a practice that has a primarily technical network management justification, but does not include other business practices. A network management practice is reasonable if it is primarily used for and tailored to achieving a legitimate network management purpose, taking into account the particular network architecture and technology of the broadband Internet access service.

Our Open Internet rules, also, require broadband providers to disclose accurate information about the services they offer consumers so that consumers can make informed choices about the broadband services that they purchase. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- “A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings.”

For your reference on these rules, I have attached a pdf of the Open Internet Order, which the Commission adopted in February 2015. In the Order, you may note the specific references to VoIP, including the following reference in para. 122:

- “Because our no-throttling rule addresses instances in which a broadband provider targets particular content, applications, services, or non-harmful devices, it does not address a practice of slowing down an end user’s connection to the Internet based on a choice made by the end user. For instance, a broadband provider may offer a data plan in which a subscriber receives a set amount of data at one speed tier and any remaining data at a lower tier. If the Commission were concerned about the particulars of a data plan, it could review it under the no-unreasonable interference/disadvantage standard. **In contrast, if a broadband provider degraded the delivery of a particular application (e.g., a disfavored VoIP service) or class of application (e.g., all VoIP applications), it would violate the bright-line no-throttling rule.** We note that user-selected data plans with reduced speeds must comply with our transparency rule, such that the limitations of the plan are clearly and accurately communicated to the subscriber.”

If you are concerned about the service that you are receiving from your provider, the possibility that your provider is engaged in blocking or throttling, the adequacies of your provider’s disclosures, and/or that your provider is otherwise violating our rules, you are welcome to file an informal complaint with the FCC. If you file an informal complaint, we will serve the complaint on your provider and your provider will be legally required to respond to you and us in writing within 30 days. Once your provider responds to you, I can discuss the response with you and additional steps you may take.

Because this your concerns involve a business to business dispute, your complaint may benefit from being handled by our Market Disputes Resolution Division (MDRD), rather than through our consumer-facing web-based intake system for individual consumer informal complaints. Here is some information about filing an informal complaint with MDRD:

- To file an informal common carrier complaint, the complaining party need only submit a letter to the Chief of the Market Disputes Resolution Division, Christopher Killion, 445 12th Street SW, Washington, DC 20554, describing the alleged violation of the Communications Act. There is no fee associated with filing an informal complaint. The letter must include the name of the defendant carrier, a complete statement of the facts, and the relief sought. In addition, the complainant may request mediation in the informal complaint letter.
- Once MDRD receives an informal complaint, it will transmit the complaint to the defendant carrier and typically will require the defendant to submit a response within thirty days. Even before the response deadline, parties can explore the possibility of private settlement or engage in FCC-supervised mediation. A complainant that is not satisfied with the defendant’s response, and has not been able to resolve the dispute through private settlement or subsequent mediation, has six months from the date of the response to convert the informal complaint into a formal complaint and maintain the filing date of the informal complaint. See 47 C.F.R. § 1.718. Informal complaints do not result in written orders issued by the Commission.

When submitting your informal complaint to MDRD, you should make it clear that you are filing an “informal complaint” under our informal complaint rules - 47 CFR § 1.716 and 47 CFR § 1.717. Additionally, it is helpful to the Commission and to your provider if you explain specifically and clearly how you think our rules have been violated, with citation to the relevant rules and quotation of our rules as appropriate. You are welcome to submit supporting evidence as well. As mentioned above, the materials that you submit to the MDRD will ordinarily be provided to your provider so that your provider can respond to your complaint.

You can email your informal complaint directly to Christopher Killion, the Division Chief of MDRD, at Christopher.Killion@fcc.gov. After you have emailed your complaint to MDRD, please forward me a copy of the email so that I can make sure your complaint is handled properly.

In a separate email, I will forward you information about filing a formal complaint.

If you have any questions, feel free to be in touch.

Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: (b) [REDACTED]
Sent: Monday, September 26, 2016 12:09 AM
To: Ombudsperson
Cc: (b) (6) [REDACTED]
Subject: Open Access on the Internet Problem

Follow Up Flag: Follow up
Flag Status: Completed

I have just had installed a new uverse internet service in my San Antonio Home. Previously I had service from Time Warner (which is now changing to Spectrum).

My AT&T Uverse Internet/Uverse Phone account number is (b) (6) [REDACTED] which was installed on 20 Sep 2016 at my home: (b) (6) [REDACTED]

I still retain some internet/email services with Time Warner but to my amazement, the AT&T Technical Support folks have informed me that I cannot access my emails thru the AT&T Uverse network; the specific URL is <http://webmail.roadrunner.com>.

Its my understanding that the FCC rules prohibit the intentional blocking of a competitors services, as stated below.

No Blocking [47 C.F.R. § 8.5]

Fixed services: A person engaged in the provision of fixed broadband Internet access service, insofar as such person is so engaged, shall not block lawful content, applications, services, or non-harmful devices, subject to reasonable network management.

Please advise. If they cannot be reasonable about this, I wish to file a formal complaint.

Thanks. Look forward to hearing from you soon.

--
(b) [REDACTED]
(6) [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Mike Hennigan

From: (b) (6)
Sent: Wednesday, September 07, 2016 1:34 AM
To: Ombudsperson
Subject: No Valid Internet Service Any Longer in Mt Pleasant, SC

Follow Up Flag: Follow up
Flag Status: Completed

Hello,

I am getting really tired of being subjected to fraud by the internet carriers. I had Comcast for about 6 years and after being unable to obtain any service, not even a person to answer a phone, I switch to WOW about three years ago. It was affordable and for about 9 months, it worked well and customer service answered promptly and were in the US. About a year ago I began to have connectivity problems. WOW blamed my wireless modem, (without any tests or proof) so I upgraded it and bought the highest rated one for \$200. It did nothing to help.

I was told by someone that they changed their type of signal so that no one could any longer get TV on their Blue ray or Smart TV without paying additional fees to rent digital converter boxes. I was no longer able to count on a stable signal strength, even after upgrading to their "faster" service.

I changed to ATnT about 4 months ago. Their sales rep lied to me, quoting me a price \$10 less than what they billed me for. I spent considerable time - weeks or months trying to get it reversed and then was only given a small one time credit.

ATnT costs twice what I was paying for WOW. For the first month or 6 weeks I had no connection to my wireless printer, and I work from my home. I spent at least \$300 plus gas and lost time driving to Office depot to have things printed. For two weeks my assistant, who I paid by the hour, tried to get ATnT on the phone and find a solution. After 6 weeks we got the senior tech back, who spent two hours to realize he had not set my wireless up right in the first place.

For the last six weeks I have had unstable internet. It was most noticeable at "peak times" in the evening when people are streaming, as it was with WOW. However, it has gotten so bad even in the day that I literally cannot function,

I reported the problem 8 times to ATnT and no one called back, I was hung up on, or I was on the phone for at least 10 minutes just to be told that my signal strength was fine, or to "reboot". Once I reached the senior tech who did the installation and then fixed the wireless,

on his cell phone and he said he would call me back. He did not. Today after reporting the problem I called again and got the same sort of runaround and sympathy from a foreign call center wage slave until I demanded to talk to a supervisor and was put through after about 20 minutes. He was very pleasant and "did a software upgrade" which we both thought seemed needless since my system was installed brand new less than four months ago. He had me turn on all devices at once. I did and everything actually worked at a normal speed! For about 30 minutes. Then it was back to websites that would not load. I find this very suspicious. I strongly suspect that he "gave me their highest speed plan for 30 minutes or did some other sleight of hand to get me off his back.

Regardless, the whole system of paying and paying and wasting time is fraudulent. These internet companies are charging for service they have no intention of providing. Anytime I have ever gotten any assistance of any kind it has only been after weeks of frustration and then filing an FCC complaint. But no permanent improvement in service has ever resulted. It might get a tech out here, but as described, they tell me something untruthful. The reason I quit WOW was because after I was told to buy a new router, (and did for \$200, which ATnT then could not use), WOW told me, "write down when it is slow and call us," at which point two days later when I finally could get through the barricades of Phillipino call center workers, WOW told me they could not do anything because my problems were after 9 pm and they do not work after 9 pm.

I just don't know what to do. Can you do anything to help me and the other 50,000 or so in my town likely suffering the same agony and financial drain?

Thank you,

(b) [redacted]
(6)

(b) (6) [redacted]
(b) (6) [redacted]
(b) (6) [redacted]

(b) [redacted]
[redacted]
[redacted]
[redacted]
[redacted]

Mike Hennigan

From: (b) (6)
Sent: Wednesday, June 17, 2015 10:31 AM
To: Ombudsperson
Subject: No service in my town

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs,

Good morning!

Recently, I tried to order FIOS service from Verizon in my town of Mt. Laurel, NJ for internet. They informed me that they are not allowed to bring their FIOS service to Mt. Laurel because the neighboring town's council, Moorestown, forbade it. The junction box for Verizon to add FIOS to Mt. Laurel is in Moorestown and the town does not want Verizon trucks throughout the town. This does not make sense because Verizon does offer a DSL service, and I would think they have to go to that junction box sometimes to add service to someone's home or for general maintenance. The DSL is a service I have, but it's slower and since I am 3.1 miles away from the junction box in Moorestown, my DSL internet service can never be upgraded to a faster speed. Verizon's installer told me that DSL has a limit of 3 miles (from their junction box). If they had their FIOS service in Mt. Laurel, the distance would not be an issue.

Currently in Mt. Laurel, you can get Comcast's service. What I want to know is, is it against the law for any town to refuse a company to install their services there? If that is so, then they are not allowing competition. It's a monopoly in that town since I can't get any other service. I can't even use satellite services like Dish or DirecTV because my condo assoc. will not allow it.

Best Regards,

(b) (6)

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Friday, September 04, 2015 5:02 PM
To: Ombudsperson
Cc: (b) (6)
Subject: Net neutrality complain

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam,

My name is (b) (6) and I live in Pembroke Pines, Florida. The internet service provider choice is limited in my area to Comcast, which means they enjoy a the benefits of a market with no competition. I'm writing you to ask your assistance with two issues that affect the cost and how I use my internet service at home.

1) I currently subscribe to the "Performance Internet" service listed on their website for new customers in my community for \$29.99/month for the first 12 months and \$49.99 thereafter. Comcast currently charges me \$66.95 for the same plan. I believe this practice is unfair and constitutes an abuse Comcast's monopoly position in the local market. I hereby kindly request your assistance to correct this absurdity.

2) Two days ago, I received notification that Comcast will be capping my internet data usage to an arbitrary level. In my household, the internet is used for telephone service, running a small business, online classes for my young daughters and for myself, including homework and research for those classes. We receive all of our news and entertainment through our internet connection. An arbitrary cap will seriously affect how we use our internet and seriously impair our education, access to information, how we conduct our small business and how we receive entertainment. This arbitrary cap will place us in a position where we'll have to prioritize our usage, potentially forcing to give up of portions of the content we currently consume, these consequences clearly violate the "No throttling" and the "No paid prioritization" rules, so hereby I'm kindly requesting your prompt and firm action in making sure Comcast not only stops abusing their privileged position in the market but more importantly complies with the Open Internet rules as designed.

Thank you in advance for your prompt action and positive response to these matters. I'm available to answer any of your questions by email (b) (6) or by phone: (b) (6).

Sincerely,

(b) (6)

(b) (6)

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Monday, May 08, 2017 12:29 PM
To: Ombudsperson
Subject: Net Neutrality

Please do not allow the ISPs to change the rules against Throttling and Paid Prioritization.
Do not allow them to give preferential treatment to their Content!

Is there a more official way to make this opinion known to the people who will make that decision?

Thank you;

(b) (6)

Internet User since 1985

Mike Hennigan

From: (b) (6)
Sent: Wednesday, January 06, 2016 12:13 PM
To: Ombudsperson
Subject: Net Neutrality

Follow Up Flag: Follow up
Flag Status: Completed

the audio i have sent you earlier today also states that AT&T is going against Open Internet (Net Neutrality) laws that have been set...

(b) (6)

CONFIDENTIALITY NOTICE FROM (b) (6): The information contained in this communication is confidential and intended solely for the use of the individual to whom it is addressed and others authorized to receive it. If you are not the intended recipient, any disclosure, copying, distribution or taking of any action in reliance on the contents of this information is prohibited. If you have received this communication in error, please immediately notify the sender by phone or e-mail.

Mike Hennigan

From: (b) (6)
Sent: Wednesday, March 08, 2017 11:09 AM
To: Ombudsperson
Subject: Net Neutrality

Hi

I am a retired former manager in software and network technology. My purpose in writing this email is to voice my strong belief that we must maintain a robust net neutrality policy. If there is somewhere else I should also be sending this email, please let me know, but, per the fcc website, it seemed this was the best place.

thanks

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Thursday, February 09, 2017 4:32 PM
To: Ombudsperson
Subject: Net Neutrality

Must be preserved for the good of the people. Don't fuck with it.

Sincerely

(b) (6)
Marion, Illinois

Mike Hennigan

From: (b) (6)
Sent: Tuesday, April 11, 2017 10:02 AM
To: Ombudsperson
Subject: Net Neutrality

Net Neutrality is not negotiable. It's essential to everything we need in our society and democracy — from educational and economic opportunities to political organizing and dissent.

Millions of people fought for over a decade to secure lasting Net Neutrality protections. I will not accept anything less. I urge you to reject any attacks on real Net Neutrality.

The people who start the next Facebook or Google need to have a level playing field and the opportunity to succeed

Thank you — (b) (6) Champlin MN

Mike Hennigan

From: (b) (6)
Sent: Monday, May 08, 2017 12:39 AM
To: Ombudsperson
Subject: Net Neutrality

I am writing you to inform you that I am for strong net neutrality rules under Title 2. Anything less is unacceptable. ISPs should not have the right to manipulate speeds or content volume to enhance their profits at the expense of the general public.

(b) (6)
[Redacted]
[Redacted]

Mike Hennigan

From: (b) (6)
Sent: Monday, May 08, 2017 7:26 AM
To: Ombudsperson
Subject: Net neutrality

Net neutrality is vital to an open vibrant impartial web.

There is no possible benefit to the consumer if net neutrality is abolished.

Only someone who worked for Verizon would try to argue this point. The consumers are watching and will ask why the chairman is considering this action

Sent from my iPad

Mike Hennigan

From: Ombudsperson
Sent: Wednesday, November 18, 2015 5:28 PM
To: (b) (6)
Subject: Municipal broadband
Attachments: FCC-15-25A1_Municipal_Broadband.pdf

(b) (6)

It was good speaking with you this evening.

Attached is the document that I mentioned regarding municipal broadband. This was an order the FCC adopted this year to enable municipal providers to expand broadband offerings to underserved areas.

Thank you again for contacting the Federal Communications Commission's Open Internet Ombudsperson.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: (b) [REDACTED]
Sent: Monday, December 14, 2015 9:52 PM
To: Ombudsperson
Subject: Mr. Janson, please do not allow Comcast to make a mockery of net neutrality with its data caps / usage-based billing

Follow Up Flag: Follow up
Flag Status: Completed

Mr. Janson,

Comcast's data caps / usage-based billing allows a cascade of practices that will make a mockery of net neutrality—allowing cable to pick the winners and losers among apps and services in the future. And it's happening now. This article explains at length:

<https://medium.com/backchannel/big-cable-s-sledgehammer-is-coming-down-2c6854e8bea9#.2pk7szfmf>

Please do not allow Comcast to proceed to the natural -- and disastrous for civil society - conclusion of their current efforts!

Sincerely,

(b) (6) [REDACTED]

Mike Hennigan

From: (b) (6)
Sent: Friday, October 07, 2016 3:41 PM
To: Ombudsperson
Subject: Just notified of "data plan" / official complaint

Follow Up Flag: Follow up
Flag Status: Completed

Hello there,

For a few months now, I've heard rumors of Internet company giants like Comcast (that's who I am with), imposing data caps or data plans to customers. Basically, now they are not only charging people for the use of their (many times unreliable) Internet connection - with the price dependant on the speed that consumers can get in their areas - but now letting the consumers know that there is a limit to HOW much can be used (or else pay them more). I understand phone companies imposing data caps to use their networks (price dependant of the amount of data you plan on using) , but not for business or home use. So hearing these rumors, it seemed absurd, and potentially illegal. I also heard that the FCC was going stop this, especially when Comcast and Charter had the merger - so I went about my life.

Until today. I just received an email from Comcast about my internet service, and how starting November 1, I will have a data plan imposed. The email went on to explain that I will be getting a generous 1 terabyte amount of data, before additional charges would be imposed, and that I have only averaged 92 GB in the last three months. So 1 terabyte should be plenty, according to them. This makes me furious! First of all, in the area that my husband and I live, we are stuck with choosing Comcast as our Internet provider. It's either them, or the local DSL provider that can only get us speeds up to 6 mbs (I'm sure whomever is reading this is somewhat intelligent and knows those speeds won't even be able to handle streaming Netflix, or music, or pretty much doing anything online besides maybe checking your bank statements). So we are stuck with the ever price increasing monopoly that is Comcast, and they know it. It was demoralizing enough to have to accept this, but now the data cap issue!?! This is too far!

If the FCC doesn't do something about this now, it's going to get worse! I understand that the 1 terabyte they are offering seems very generous, but what is going to stop them from lowering that cap later? Squeezing people into having to not only pay them for the speed at which they can get their Internet (information to the world, mind you), but then making them pay for how much Internet/information they get. Not only this, but every year the sites that are visited and used online take more and more data and speeds to make them function. I remember dial-up and speeds lower than 56k. Those speeds eventually died out due to the need for faster Internet, and the need for more data. This trend will continue. Who knows, maybe 1 terabyte in 2,3,5 years will not be enough, and consumers will be forced into paying more and more and more. Also, everyday that goes by the internet is (unfortunately) becoming more and more of a necessary utility than a discretionary one.

With that being said, this is my official complaint. The FCC needs to stop Comcast, and all Internet providers, from placing any kind of data caps or limits. If you allow them to do this, you are unlocking the door - taking the first step - to handing them control of the world we live in and the information and knowledge humanity can share.

I appreciate your time in reading this, and I sincerely hope that this email was not sent in vain.

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Friday, December 23, 2016 3:39 AM
To: Ombudsperson
Subject: Land Line phone required for Internet?

Follow Up Flag: Follow up
Flag Status: Completed

Hello,

I am writing to you because my ISP states on their website "Due to federal guidelines, a phone line is required to receive Internet. Residential customers should consider subscribing to a bundle for the best overall pricing on Internet, cable TV and phone.", <https://www.alliancecom.net/internet/>

Is this lawful? They do not cite the guideline or regulation, and charge \$18 a month (plus tax and fess coming to \$34.83 every month)) for a landline that I use maybe once a month. It seems to me like they are fleecing me, and other customers into buying an unneeded service. I seriously pay almost as much for the landline as I do for the internet!

Charge Detail

(b) (6)

Recurring Charges (Dec 01 - Dec 31)
* Residential Line Charge 18.00
* FCC End User Charge - Residence 6.50
Total Maintenance Plan 2.00
* Access Recovery Charge-Residential 2.50
Taxes, Fees, and Surcharges
* Communications Impaired Fund 0.15
* Enhanced 911 Service-Miner County 1.25
Federal Excise Tax 0.87
Federal Universal Service Charge 1.57
Howard City Tax 0.61
South Dakota State Sales Tax 1.38
Total for (b) (6) \$ 34.83

High Speed Internet-FOL

(b) (6)

Recurring Charges (Dec 01 - Dec 31)
Ethernet 30.0/5.0 34.95
Router Support Plan 1.95
Taxes, Fees, and Surcharges
Howard City Tax 0.74
South Dakota State Sales Tax 1.66
Total for High Speed Internet-FOL \$ 39.30

Any help you can be would be much appreciated. I wish I could just drop the landline all together.

(b) (6)

Mike Hennigan

From: [REDACTED]
Sent: Tuesday, August 04, 2015 5:42 PM
To: Ombudsperson
Subject: Kill USTelecom. CIMS00005897438 - FCC Consumer Center response from representative TSR58

Follow Up Flag: Follow up
Flag Status: Completed

Hi -

I've noticed USTelecom breaking links on facebook & making poor suggestions on twitter..

Please Disbar USTelecom & demand fiber investment from any private company.

Disbarring USTelecom is the only way to preserve #netneutrality. USTelecom charter is to undermine net neutrality.

As a result USTelecom has to be destroyed.

Kill USTelecom.

Sincerely,

(b) (6)

Sent from Yahoo Mail on Android

From: "DoNotReply@fcc.gov"
Date: Tue, Aug 4, 2015 at 2:50 PM
Subject: CIMS00005897438 - FCC Consumer Center response from representative TSR58

You are receiving this email in response to your inquiry to the FCC.

Dear (b) (6)

Thank you for your e-mail regarding Open Internet.

Parul P. Desai is to serve as the Open Internet ombudsperson, the public's primary point of contact within the agency for formal and informal questions and complaints related to the Open Internet rules.

The Open Internet rules, adopted by the Commission on February 26, 2015 and effective as of June 12, 2015, established "an ombudsperson to assist consumers, businesses, and organizations with open Internet complaints and questions by ensuring these parties have effective access to the Commission's processes that protect their interests," and specified that the ombudsperson will be housed in CGB, which is the agency's primary initial informal complaint intake point.

The Ombudsperson can be reached at: ombudsperson@fcc.gov or 202-418-1155. To file a complaint online, go to www.fcc.gov/complaints, click "File a Complaint" in the Internet icon, and select "Open Internet" as the issue area.

Thank You

You are receiving this e-mail regarding your inquiry/complaint. Please note that this mailbox does not accept inbound e-mail. Do not attempt to respond to this e-mail message.

If you need additional information regarding your inquiry/complaint, our Consumer & Mediation Specialists are available Monday through Friday, 8 a.m. to 5:30 p.m. ET to assist you at 1- 888-CALL-FCC (1-888-225-5322) voice or 1-888-TELL- FCC (1- 888-835-5322) TTY. Please save the case number and refer to it when following up with the FCC.

Representative Number : TSR58

Mike Hennigan

From: (b) (6)
Sent: Tuesday, August 09, 2016 12:48 PM
To: Ombudsperson
Subject: ISP turning of my internet for over use of unlimited Data Internet.

Follow Up Flag: Follow up
Flag Status: Completed

I and my kids use our internet to watch YouTube, Netflix, Hulu and Vudu. We also use it to game with Xbox and PlayStation and use computer to play games online. We have unlimited data internet but today they tell me they are shutting off our internet because we use to mush data. Are they allowed to do that under Net Neutrality.

Thanks,

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Tuesday, November 03, 2015 12:00 PM
To: Ombudsperson
Subject: Joseph M AT&T
Attachments: Joe denying to put on PREVIOUS PLAN ON MY ACCOUNT.mp3; ATT00001.htm

Follow Up Flag: Follow up
Flag Status: Completed

Joseph states that the system removed my tethering. this is False.

It was George Collazo that removed it per my request due to needing VISUAL VOICEMAIL.

However you can see that JIT2 and GMTETHN on the same plan!

FEBRARY 11 2015 17:49:36

George Collazo - Team Manager Customer Support Team Manager

JIT2 EXPIRED. - LTE unlimited data withvoicemail

IFDB EXPIRED - iPhone customer

IWBCON EXPIRED - iPhone identifier

VEN1B EXPIRED - facetime

UGCB EXPIRED - data unlimited

OPTCAMELB EXPIRED - registration to att

GMTETHN-tethering

GMGPRSDUN-unlimited domestic

GM236892-smart choice data

Cedrick- customer support specialist

created specialized note stating he wishes for customer to NOT touch his account without his approval or without his presence in store.

ADDED

JIT1 - 4glte unlimited WITH VOICEMAIL

H988 - data feature for multi media video

IPVV - visual voicemail post paid consumer

UGCB - data unlimited

IWBCON - iPhone identifier

IFDB - apple account discount override

VEN1B - video calling (FaceTime)

OPTCAMELB - registration to att

Mike Hennigan

From: (b) (6)
Sent: Monday, June 22, 2015 4:38 PM
To: Ombudsperson
Subject: ISP Revenge

Follow Up Flag: Follow up
Flag Status: Completed

Well, here's an issue to investigate. Major ISPs are using us to tell you that they run the industry, not the FCC.
<http://www.theguardian.com/technology/2015/jun/22/major-internet-providers-slowng-traffic-speeds>
Please keep us updated on how this progresses.
Thank you,

(b) (6)

Mike Hennigan

From: (b) [REDACTED]
Sent: Friday, September 30, 2016 3:28 PM
To: Ombudsperson
Subject: Internet Traffic Cost

Follow Up Flag: Follow up
Flag Status: Completed

Many Internet Service Providers, cellular carriers in particular, have metered service. I.e. they allow so much bandwidth at a certain rate and charge more if it is used.

I was aware of a lot of the overhead traffic that takes place but had no idea how pervasive it was until it was necessary why by browser, Firefox, was coming to a screeching halt. In some cases I timed intervals of 7 seconds before the next operation could take place. I believe the problem was of my doing by setting some setting to limit information shared unknown to me.

When I investigated, I found that my Anti Virus software, Kaspersky, has some settings that can also be set. It also makes a record of things it has blocked. Once the changes were set in Kaspersky to block even more, the performance improved significantly.

Why am I contacting you?

With all of this traffic, unknown to me, being consumed, is there any relief the customer can get? The customer is paying for all this baggage they are carrying and do not know it.


Is it appropriate for the FCC to require Internet Service Providers (ISPs) to not charge customers for this overhead? If my AV software can identify it, then in the normal course of business, the ISPs can also and exclude it from the traffic charged to the customer.

Private Browsing

Protection enabled

For the last 30 days

Requests detected: 181567

 Social networks 3022

 Web analytics 26143

 Ad agencies 70738

 Web beacons 81664

Top most popular requests:

DoubleClick 22443

(b) (6) 9864

Yahoo Web Analytics 8396

[Details...](#) [Settings](#)

Webcam Access

Protection enabled

For the last 30 days

No attempts to use the webcam have been detected. Statistics will be available later.

[Details...](#) [Settings](#)

Today	
https://finance.yahoo.com/ Requests detected: 533	15:11
https://www.fcc.gov/about-fcc/finding-people-fcc?name=ombusman Requests detected: 2	15:07
http://www.cheatsheet.com/money-career/reasons-good-employees-quit-jobs.html/?ref=YF&yptr=yahoo Requests detected: 75	15:03
http://widgets.outbrain.com/nanoWidget/externals/obFrame/obFrame.htm Requests detected: 1	15:03
http://www.kiplinger.com/article/credit/T048-C011-S002-beware-the-latest-scams.html Requests detected: 49	14:50
http://www.kiplinger.com/slideshow/business/T049-S010-11-sources-of-funding-for-your-small-business/index.html Requests detected: 35	14:41
http://disqus.com/embed/comments/?base=default&version=a885d2f826134227b43a8ad0f4b502de&f=kiplinger&t... Requests detected: 1	14:41
https://w.graphiq.com/w/ewwK8AxUMiV Requests detected: 16	14:41
http://www.kiplinger.com/slideshow/business/T012-S001-best-jobs-for-the-future-2016/index.html Requests detected: 125	14:40
http://disqus.com/embed/comments/?base=default&version=a885d2f826134227b43a8ad0f4b502de&f=kiplinger&t... Requests detected: 1	14:38
http://www.kiplinger.com/slideshow/business/T012-S001-best-jobs-without-a-college-degree-2016/index.html Requests detected: 125	14:38
http://disqus.com/embed/comments/?base=default&version=a885d2f826134227b43a8ad0f4b502de&f=kiplinger&t... Requests detected: 1	14:35
http://www.kiplinger.com/slideshow/business/T057-S001-7-things-that-will-soon-disappear/index.html Requests detected: 800	14:33



https://finance.yahoo.com/

Tracking service blocked https://beap-bc.yahoo.com/av?v=1.0.0&f=1197794300%2C087HQDk4LjGZMI3.V9zQYgNcNTAuOAAAAABbivVk%2C147...	15:11
Tracking service blocked https://beap-bc.yahoo.com/av?v=1.0.0&f=1197794300%2CghHd7zk4LjGZMI3.V9zQYgE4NTAuOAAAAABaWLAi%2C1475...	15:10
Tracking service blocked https://beap-bc.yahoo.com/av?v=1.0.0&f=1197794300%2CBR_LTk4LjGZMI3.V9zQYgVDNTAuOAAAAABZjvl_%2C147526...	15:10
Tracking service blocked https://beap-bc.yahoo.com/av?v=1.0.0&f=1197794300%2CUp1gszk4LjGZMI3.V9zQYgPSNTAuOAAAAABX9N1h%2C147...	15:10
Tracking service blocked https://geo.yahoo.com/p?_E=adperf&outcm=performance&etrg=backgroundPost&usergenf=0&etag=performance%2...	15:10
Tracking service blocked https://beap-bc.yahoo.com/av?v=1.0.0&f=1197794300%2CmfyrRzk4LjGZMI3.V9zQYgQINTAuOAAAAABWwqgP%2C147...	15:09
Tracking service blocked https://beap-bc.yahoo.com/av?v=1.0.0&f=1197794300%2CphaZKjk4LjGZMI3.V9zQYgZINTAuOAAAAABVj8f5%2C147526...	15:09
Tracking service blocked https://beap-bc.yahoo.com/av?v=1.0.0&f=1197794300%2Cet3Ztjk4LjGZMI3.V9zQYgjZNTAuOAAAAABTK3Rn%2C147526...	15:08
Tracking service blocked https://beap-bc.yahoo.com/av?v=1.0.0&f=1197794300%2Cfs8Fezk4LjGZMI3.V9zQYgP2NTAuOAAAAABR9nD6%2C14752...	15:08
Tracking service blocked https://beap-bc.yahoo.com/av?v=1.0.0&f=1197794300%2C0gjNjTk4LjGZMI3.V9zQYgASNTAuOAAAAABQxHdm%2C147...	15:08
Tracking service blocked https://beap-bc.yahoo.com/av?v=1.0.0&f=1197794300%2C_t2WBDk4LjGZMI3.V9zQYgn_NTAuOAAAAABPkk.y%2C14752...	15:07
Tracking service blocked https://beap-bc.yahoo.com/av?v=1.0.0&f=1197794300%2CaY3bxjk4LjGZMI3.V9zQYgGRNTAuOAAAAABOYJkn%2C1475...	15:07
Tracking service blocked https://beap-bc.yahoo.com/av?v=1.0.0&f=1197794300%2CeZGuIzk4LjGZMI3.V9zQYgMwNTAuOAAAAABNLnS5%2C147...	15:07

https://finance.yahoo.com/

Total detected requests:
533

Social networks:
9

Web analytics:
468

Ad agencies:
17

Web beacons:
39

Last time detected:
Today, 9/30/2016 15:11

[Details](#)

The cost of Internet service has gotten out of hand and is getting worse.

Thank you.

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Wednesday, October 05, 2016 12:39 AM
To: Ombudsperson
Subject: internet usage question.

Follow Up Flag: Follow up
Flag Status: Completed

AT&T switched to the amount of data usage? My question is then, when I use You Tube or MSN. I am now paying for all the advertisements as data usage that is on that web page, or video that I am reading or watching which. It seems like a unfair use of my data from advertiser like AD Choices. They pay to be on a page of news but it is data I pay for as usage. I paid before by for how fast the network was which was fair. Is there any thing that can be done to remove advertisement to reduce the amount of worthless data being directed at a consumer which they get billed for?

Sincerely

(b) (6)

Mike Hennigan

From: Ombudsperson
Sent: Friday, April 29, 2016 2:55 PM
To: (b) (6)
Subject: Internet speeds in Rib Lake, WI
Attachments: Open-Internet-Transparency-Rule.pdf; FCC-15-24A1_Open_Internet_Order.pdf; informalcomplaint.pdf; DA-13-1605A1_EA_Failure_to_Respond.pdf; FCCRC23-2728_Failure_to_respond_NAL.pdf

(b) (6) –

It was good talking with you yesterday. Thank you for discussing your concerns with me.

As I understand it, you are concerned, first, about the internet speeds that your provider – Frontier – is offering in Rib Lake, Wisconsin, particularly regarding the T1 service to your area. In connection to this concern, you would like to know what FCC rules apply to Frontier’s provision of internet service to you. Second, you are concerned about the FCC’s response to your informal complaint and would like more information about how our informal complaint process works. Third, you would like information on how to file a request under the FOIA with the FCC. If there are additional concerns that are not covered in what I have just mentioned, any omission was inadvertent, and I am happy to try to address additional concerns that you may have and/or provide additional information.

Initially, let me say that the FCC is committed to promoting broadband deployment, competition, and consumer choice. We have a number of proceedings that advance these goals and we provide financial support to encourage deployment of broadband in underserved areas. That being said, broadband deployment is not required under our Open Internet rules.

Our Open Internet rules, however, require broadband providers to be transparent about the services they offer consumers. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- **“A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings.”**

The text of this rule is available on this US Government Publishing Office website: http://www.ecfr.gov/cgi-bin/text-idx?SID=1dc502117c40e9ef4ff7fc65c7bddacd&mc=true&node=se47.1.8_13&rgn=div8

For your reference on the transparency rule, I have attached two pdfs to this email: (1) an FCC consumer guide on the transparency rule, and (2) the Open Internet Order, which the Commission adopted in February 2015. See, specifically, paragraphs 23-24, and 154-185 of the Order for discussions of the transparency rule.

With regard to our informal complaint process, the FCC’s informal complaint process provides consumers with a way to register their concerns with the FCC and their providers. Under our rules, we may serve your complaint on your provider, and if so, your provider is legally required to respond to you and us in writing. If you are not satisfied with your provider’s response, we can serve a rebuttal on the provider and if so, they will be required to respond to the rebuttal as well.

I have attached a consumer guide about the informal complaint process. Additionally, here is the procedure for filing informal complaints under our rules:

47 Code of Federal Regulations § 1.717 - Procedure

- **“The Commission will forward informal complaints to the appropriate carrier for investigation. The carrier will, within such time as may be prescribed, advise the Commission in writing, with a copy to the complainant, of its satisfaction of the complaint or of its refusal or inability to do so. Where there are clear indications from the carrier's report or from other communications with the parties that the complaint has been satisfied, the Commission may, in its discretion, consider a complaint proceeding to be closed, without response to the complainant. In all other cases, the Commission will contact the complainant regarding its review and disposition of the matters raised. If the complainant is not satisfied by the carrier's response and the Commission's disposition, it may file a formal complaint in accordance with § 1.721 of this part.”**

You can find all of the rules regarding informal complaints on this US Government Publishing Office website:

[http://www.ecfr.gov/cgi-bin/text-](http://www.ecfr.gov/cgi-bin/text-idx?SID=f9e6a6f05ca3c7abfbb83da8eb961686&mc=true&node=sg47.1.1_1711.sg24&rgn=div7)

[idx?SID=f9e6a6f05ca3c7abfbb83da8eb961686&mc=true&node=sg47.1.1_1711.sg24&rgn=div7](http://www.ecfr.gov/cgi-bin/text-idx?SID=f9e6a6f05ca3c7abfbb83da8eb961686&mc=true&node=sg47.1.1_1711.sg24&rgn=div7)

You also asked about the consequences for a provider that does not respond to informal complaints. Failure to respond to informal complaints can lead to enforcement actions. See the attached Enforcement Advisory and, for example, the attached Notice of Apparent Liability.

You will note that under our rules if a complainant is not satisfied with the provider's response to an informal complaint, a complainant can file a formal complaint. Unlike informal complaints, formal complaints involve detailed procedural rules and filing requirements. The formal complaint process is similar to federal court litigation, in that it involves a complaint, answer, reply, motions, briefs, and discovery. If you are interested in filing a formal complaint, I can discuss this with you.

As you and I also discussed, it is very helpful to the Commission to hear from consumers like you and our enforcement actions and rule makings can be informed by consumer complaints like yours. As such, I very much appreciate you bringing your concerns to our attention in the form of an informal complaint. On our next phone call, we can discuss additional steps you can take if the informal complaint process was not satisfactory to you.

Finally, in regard to filing a request under the FOIA, this FCC webpage provides information about how to file a FOIA request: <https://www.fcc.gov/general/foia-0>

The FCC uses “FOIAonline” to manage FOIA requests. With FOIAonline you can submit FOIA requests online and track the status of requests. To file a FOIA request for records kept by the FCC, please go to FOIAonline:

<https://foiaonline.regulations.gov/foia/action/public/home>

Choose "Make a FOIA Request" and, using the drop down menu, select Federal Communications Commission.

In addition, this FCC webpage provides specific information about how to file a FOIA request with the FCC and also provides a point of contact at the FCC if you have questions about this process: <https://www.fcc.gov/reports-research/guides/how-file-foia-request>

I hope this information is helpful to you. I am looking forward to talking with you again on Monday at 4:00 pm eastern, 3:00 pm central.

Best –
Michael

Mike Hennigan

From: (b) (6)
Sent: Friday, June 19, 2015 7:23 PM
To: Ombudsperson
Subject: Internet throttling question?
Attachments: image1.PNG; ATT00001.txt

Follow Up Flag: Follow up
Flag Status: Completed

So lately my internet at home has been going slow so I asked my isp what's going on and they said they throttle me and I asked about net neutrality and he said he can do it and it's not against net neutrality, is it? Thank you!

Sincerely,

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Thursday, December 01, 2016 11:01 AM
To: Ombudsperson
Subject: Internet Data Caps

Follow Up Flag: Follow up
Flag Status: Completed

I have been referred to you to discuss my concerns about Internet Data Caps being employed by Internet Service Providers. Comcast is set to start enforcing a 1 Tb Data Cap on January 1, 2017. I would like to discuss with you why this move violates a Free & Open Internet and actually harms users.

You can also look at <https://www.reddit.com/r/Comcast/> to see what other users are saying and how it will harm them.

This is my email address and my cell phone number is below.

Thank you

(b) (6)
[Redacted]

Mike Hennigan

From: (b) (6)
Sent: Sunday, June 21, 2015 2:33 PM
To: Ombudsperson
Subject: INTERNET SERVICE PROBLEM
Attachments: CENTURYLINK AS MY INTERNET PROVIDER.pdf; CENTURYLINK MODEM .pdf; CENTURYLINK MODEM 1.pdf; CENTURYLINK MODEM 2.pdf; CENTURYLINK speedtest-0-q2.pdf; CENTURYLINK speedtest-1-q2.pdf; CENTURYLINK speedtest-2-q2.pdf; CENTURYLINK speedtest-3-q2.pdf; CENTURYLINK speedtest-4-q2.pdf; CENTURYLINK speedtest-5-q2.pdf; CENTURYLINK speedtest-6-q2.pdf; CENTURYLINK speedtest-7.pdf; CENTURYLINK speedtest-8-q2.pdf; CENTURYLINK speedtest-9-q2.pdf; CENTURYLINK speedtest-10-q2.pdf; CENTURYLINK speedtest-11-q2.pdf; CENTURYLINK speedtest-12-q2.pdf; CENTURYLINK speedtest-13-q2.pdf; CENTURYLINK speedtest-14-q2.pdf; CENTURYLINK speedtest-15-q2.pdf; CENTURYLINK speedtest-16-q2.pdf; CENTURYLINK speedtest-17-q2.pdf; CENTURYLINK speedtest-18-q2.pdf; CENTURYLINK speedtest-19-q2.pdf; CENTURYLINK speedtest-20-q2.pdf; CENTURYLINK speedtest-21-q2.pdf; CENTURYLINK speedtest-22-q2.pdf; CENTURYLINK speedtest-23-q2.pdf

Follow Up Flag: Follow up
Flag Status: Completed

DEAR MADAM:

MY NAME IS (b) (6) I LIVE AT (b) (6).

I'M WRITING TO YOU IN REGARD TO MY LATELY PROBLEM WITH MY INTERNET PROVIDER "CENTURYLINK" IN THE STATE OF OREGON. I HAVE ATTACHED SOME FILES TO SUPPORT MY CLAIM AND TO DEMONSTRATE THE PROBLEM I AM FACING. THIS TESTS ARE PERFORMED AT DIFFERENT DAYS AND TIME OVER TWO WEEKS PERIOD AFTER I FOLLOWED TECHNICAL ADVISE FROM "CENTURYLINK".

THANK YOU FOR YOUR TIME AND EFFORT ON KIPPING THE INTERNET RELIABLE.

(b) (6)

"Hey you ! don't help them to bury the light / Don't give in without a fight."ROGER WATERS"

De ce ar avea nevoie de solidaritatea mea cineva pentru care nu valorez nimic?
"Alexandru Racu"

Mike Hennigan

From: (b) (6) [REDACTED]
Sent: Friday, November 06, 2015 8:55 AM
To: Ombudsperson
Cc: (b) (6) [REDACTED]
Subject: Internet blockage of my I Phone

Follow Up Flag: Follow up
Flag Status: Completed

Hello

I would like to make you aware that this hotel facility; Cambria Suites, 9655 Grove Circle North, Maple Grove, MN 55369 is blocking Internet access from cell phones.

When I inquired about the Internet problem I was told they were working on upgrading their system. I access all of my Internet directly through my phone. Any upgrade at this hotel should have no effect on my signal unless it is being blocked.

I understand the Hilton organization has been blocking signals.

(b) (6) [REDACTED]

Mike Hennigan

From: (b) (6)
Sent: Tuesday, November 24, 2015 11:52 PM
To: Ombudsperson
Subject: Internet Cost

Follow Up Flag: Follow up
Flag Status: Completed

Do you guys look at the cost of Internet service in the US as compared to other countries? If so, is there anything you can or will do about bringing the cost down?

The cost of what happened to me, \$35/month, unlimited service via Clearwire was fine. However, they shut down the operation, they did not allow customer to move to Sprint with the same use and cost relationship.

To get the same service that I had for \$35 would cost about \$175 with what they proposed as a solution.

<http://www.bbc.com/news/magazine-24528383>

It is very frustrating and expensive.

(b) (6)

Mike Hennigan

From: [REDACTED]
Sent: Wednesday, June 17, 2015 2:52 PM
To: Ombudsperson
Subject: Internet Access

Follow Up Flag: Follow up
Flag Status: Completed

I reside in Aguadilla , Puerto Rico and where my home is located (b) (6) , the only company available for internet service is CLARO/PRTC . There's no satellite provider, Wi Fi or cable provider that could service my street (cable is just around the corner from my street) , and on top of this the highest download speed is .250 MB which is ridiculous . The minimum speed they are supposed to supply is .500 MB which is what I'm paying for. They have told me that the slow speed is caused by an overcharged system and the far distance from where their ports are located . This situation has been the same for years , and they keep promising that they will update the systems , but nothing has been done . Since I don't have any other choice (which in my book sounds like a monopoly) I will have to stick with CLARO and hope something is done in the near future. If there are any suggestions from your office , they will be appreciated. Sincerely , (b) (6)

Mike Hennigan

From: Ombudsperson
Sent: Friday, October 21, 2016 3:35 PM
To: (b) (6)
Subject: Informal complaint information
Attachments: Open-Internet-Transparency-Rule.pdf; FCC-15-24A1_Open_Internet_Order.pdf

(b) (6)

It was good talking with you today.

Initially, let me say that the FCC is committed to promoting broadband deployment, competition, and consumer choice. We have a number of proceedings that advance these goals and we provide financial support to encourage increased deployment of broadband in underserved areas. That being said, broadband deployment at particular speeds is not required under our Open Internet rules.

Our Open Internet rules, however, require broadband providers to disclose accurate information about the services they offer consumers so that consumers can make informed choices about the broadband services that they purchase. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- "A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings."

For your reference on the transparency rule, I have attached two pdfs to this email: (1) an FCC consumer guide on the transparency rule, and (2) the Open Internet Order, which the Commission adopted in February 2015. See, specifically, paragraphs 23-24, and 154-185 of the Order for discussions of the transparency rule.

As we discussed, the informal complaint process and staff-assisted mediation of your complaint may be a productive avenue for you to pursue, particularly if fellow community members share your concerns and are willing to sign a letter and/or petition. Accordingly, if you would like to file an informal complaint and/or request a staff-assisted mediation on behalf of a group of residents, you can do so with our Market Disputes and Resolutions Division (MDRD):

- To file an informal common carrier complaint, the complaining party need only submit a letter to the Chief of the Market Disputes Resolution Division, Christopher Killion, 445 12th Street SW, Washington, DC 20554, describing the alleged violation of the Communications Act. You can email your complaint directly to Christopher Killion, the Division Chief of MDRD, at Christopher.Killion@fcc.gov. There is no fee associated with filing an informal complaint. The letter must include the name of the defendant carrier, a complete statement of the facts, and the relief sought. In addition, the complainant may request mediation in the informal complaint letter.
- Once MDRD receives an informal complaint, it will transmit the complaint to the defendant carrier and typically will require the defendant to submit a response within thirty days. Even before the response deadline, parties can explore the possibility of private settlement or engage in FCC-supervised mediation. A complainant that is not satisfied with the defendant's response, and has not been able to resolve the dispute through private settlement or subsequent mediation, has six months from the date of the response to convert the informal

complaint into a formal complaint and maintain the filing date of the informal complaint. See 47 C.F.R. § 1.718. Informal complaints do not result in written orders issued by the Commission.

When submitting an informal complaint, you should make it clear that you are filing an “informal complaint” under 47 C.F.R. § 1.716 and 47 C.F.R. § 1.717. See attached pdf of these rules. Additionally, it is helpful to the Commission and to your provider if you explain specifically how you think our rules have been violated, with citation to the relevant rules and quotation of our rules as appropriate. You are welcome to submit supporting evidence as well as the scanned pages of the individuals in your community that signed your complaint. As mentioned above, the materials that you submit to the MDRD will ordinarily be provided to your provider so that your provider can respond to your complaint.

If you choose to file a complaint with MDRD, please forward me a copy so that I can make sure the complaint is handled properly. And if you have any additional questions now or after you’ve been in touch with MDRD, feel free to be in touch with me.

Best –
Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: (b) (6)
Sent: Tuesday, October 18, 2016 12:49 PM
To: Ombudsperson
Subject: I believe WOW (WideOpenWest) might be violating FCC Policy

Follow Up Flag: Follow up
Flag Status: Completed

I first want to note that I have filed a complaint with the FCC complaint line and emailed all the FCC board members all using this email as a contact me point.

Going straight to the point, as you ruled recently, no internet traffic can be throttled or blocked in any way (net neutrality):

<https://www.fcc.gov/general/open-internet>

However, I found a part of the WOW (WideOpenWest) User Internet Terms of Service which could potentially violate this ruling (Specifically look at page 3 at the very top in part Q):

<http://www.wowway.com/docs/wow/documents-terms-and-conditions/internet-terms.pdf>

According to Part Q: "Customer will not run programs, equipment, or servers from the Premises that provide network content or any other services to anyone outside of Customer's Premises LAN (Local Area Network), also commonly referred to as public services or servers. Examples of prohibited services and servers include, but are not limited to, email, Web hosting, file sharing, and proxy services and servers."

However, as long as I am setting up only a few connections with low bandwidth requirements that are non-commercial, legal, and not straining their networks, shouldn't this be illegal for them to make their customers agree to according to your policy since to enforce it they would have to ban my outward traffic to the internet or cancel my service entirely? If you believe this is in violation of your ruling, I would like swift legal action taken against the company along with forcing them to change their policy. Otherwise, if for some reason they are not in the wrong, I would like a couple of examples of what would be something they can't do under your ruling so that I do not waste your time and my time in the future.

Please look into this and reply at your earliest convenience and if you need more details, feel free to ask. I am currently a WOW (WideOpenWest) customer.

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Friday, December 02, 2016 4:21 AM
To: Ombudsperson
Subject: home DSL access problems

Follow Up Flag: Follow up
Flag Status: Completed

Hello:

I have Verizon residential DSL at my home at (b) (6)
; Acct no. (b) (6).

For the last year, I have tried to change the mailing address of my bill from my home to my office at (b) (6)
(b) (6).

Verizon ignores my requests. I filed complaints with the FCC through their informal online complaint system. Verizon tells the FCC that they changed the mailing address and FCC closes the complaint. Verizon does not change the mailing address. After my most recent complaint, Ms. Lisa Morris at Verizon at 301 282 9212 has tried to fix this. I believe she is trying. She told me that she changed the address but something in the Verizon system changed it back. She told me that the address change would be effective with my November bill; that is, the November bill would go to the other address. It did not. In November, I received two bills and a cut off notice. In other words, Verizon added an extra month's charge to my bill and threatened to cut off my service for non payment of the false charge.

In summary, this have been going on for a year. Verizon lies to the FCC and the FCC closes my complaint. Apparently, there is something inside the Verizon computer system that reverses address changes to my account. I believe Lisa is trying but she can't override the Verizon system.

Please help.

Thank you,

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Wednesday, June 29, 2016 2:26 AM
To: Ombudsperson
Subject: Guidance for possible complaint violating Net Neutrality

Follow Up Flag: Follow up
Flag Status: Completed

Thank you for taking this email.

I am not familiar with how things should be so need your advice to proceed. I will tell you how they are and you tell me if our provider is within legal practices or not.

I learned today that our provider is "throttling" users who exceed 50GB Data. We were with a company (Xpress Web, Kanab, UT) that used wireless setups and although their packages state max 50GB data, they did not throttle if one exceeded data. They were bought out by South Central Communications (SCC) in Kanab, UT that now service our wireless and also offer DSL and soon fiber in Fredonia, AZ (across border where we live).

SCC throttles wireless users but not DSL nor fiber users. I spoke with a rep today who offered me the following options because we are getting throttled every month:

1. Current plan (wireless): 15Mbps max, 50GB Data, but get throttled if exceed data \$40.00.
2. Increase Data (wireless): same speed 100M Data \$66.45 or 200M Data \$76.45 to avoid throttling
3. Change to DSL until fiber available: same speed max, unlimited data but need to add landline phone \$73.00 (this is the plan she suggested; \$33 more than what we currently pay monthly but no throttling, includes landline but we would need to rent modem \$5.00/mo).
4. Fiber options when available: unlimited data, no modem, includes landline--15Mbps \$73.00, 50Mbps \$83.00 or 1Gpbs \$107.00. (she recommended the 50Mbps for gaming but said 15 is good enough for streaming and stuff.

Our household makes decent money and I felt like my guts had been wrenched out by capitalism and a monopoly preying on a captive audience. I feel like everyone should be able to afford, reliable, fast internet service. This system is set up so those that have money have better access and that just isn't right.

Thank you for your time, advise and assistance.

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Friday, November 18, 2016 5:27 PM
To: Ombudsperson
Subject: Granting Internet Access

Follow Up Flag: Follow up
Flag Status: Completed

Good Afternoon,

I am working on a research document and have been seeking information about the authority to provide internet access.

Specifically, if the local municipality grants a license for CableTV and the State Corporation Commission regulates telephone service, what office or authority allows either the CableTV or Phone Company to provide internet services?

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Wednesday, June 17, 2015 1:49 PM
To: Ombudsperson
Subject: GCI Inc. in Alaska

Follow Up Flag: Follow up
Flag Status: Completed

Hello,

I'm trying to gain an understanding of the FCC's open internet rules and how they apply specifically to services in my area. For instance, the ISP with the largest hold on the local market in Alaska offers four main packages (speeds of 10 mbps, 50 mbps, 100mbps, and 250mbps). From what I understand, each package is offered with prices that are far more expensive than similar speed options outside of Alaska (the 10 mbps plan begins at \$59.99, the 50mbps at \$84.99 and so on). While the prices alone are a bit problematic, the company only shift away from overage fees tied to bandwidth limitations within the past few months. I believe these changes were likely made in an effort to abide by the new Open Internet Rules, but I find the new alternative unsatisfactory.

The bandwidth limitations are still in effect. For instance, the 50 mbps plan has a basic bandwidth limit of 150gb per month, although customers are offered what the company calls "buckets," or additional portions of bandwidth (on this plan additional "buckets" of 10gb can be purchased for an additional \$10 per "bucket"). If customers do not purchase an additional "bucket" and happen to consume more than the basic amount set on their package, internet speeds are then severely throttled. To quote GCI's FAQ page on these service plans, "Use the internet at a basic level of service (less than 1 Mbps) with no overages."

What I'm having trouble with is finding out if this counts as a) throttling as it is defined by the FCC in the Open Internet Rules and b) if this can be advertised as broadband internet service and still be allowed to maintain bandwidth limitations.

Thank you for any help or answers you can provide,

(b) (6)

Mike Hennigan

From: (b) (6)
Sent: Monday, November 16, 2015 4:43 PM
To: Ombudsperson
Subject: Fwd: Re: Regarding Your Inquiry About Filing A Formal Complaint Against TMobile: 14-C00462919 & 14-C00566066

Follow Up Flag: Follow up
Flag Status: Completed

----- Forwarded Message -----

Subject: Re: Regarding Your Inquiry About Filing A Formal Complaint Against TMobile: 14-C00462919 & 14-C00566066

Date: Mon, 16 Nov 2015 16:41:25 -0500

From: (b) (6)
To: Tracy Bridgham

Ms. Bridgham,

This does not address my full concern and proposed remedy. It is not a judicious or fair resolution like the one I have outlined. I request a formal complaint if the simple resolution I outlined can not be achieved.

Sincerely,

(b) (6)

On 11/16/2015 02:54 PM, Tracy Bridgham wrote:

Hi, (b) (6)

I've heard from T-Mobile this afternoon and it's good news. Please review this email excerpt below. I understand the FCC Open Internet Ombudsperson, Michael Janson, provided you with his contact information for any lingering OI concerns you may have had. Best wishes for getting a mortgage, it can be a haul.

Tracy Bridgham, Special Counsel
Enforcement Bureau, Market Disputes Resolution Division
202-418-0967

Good afternoon, Tracy,

We wanted to circle back and thank you for bringing this matter concerning (b) (6) to our attention. We regret any inconvenience experienced by (b) (6). As you may know, T-Mobile does not report debts to the credit bureaus itself. However, when a debt is referred to an outside collection agency, the agency may report the debt.

In this case, it appears that two outside agencies had made such reports. While we were under the belief that they had previously requested removal of those reports, upon receiving your request, we immediately escalated to those agencies through our Legal Department to ensure that the agencies removed those reports from (b) (6) credit tradeline.

We received confirmations back from both agencies on November 9th confirming such removal. We hope this resolves this matter for (b) (6) and appreciate your assistance with bringing this to a close.

Best regards,

From: (b) (6)

Sent: Monday, November 02, 2015 9:33 AM

To: Tracy Bridgham

Subject: Re: Regarding Your Inquiry About Filing A Formal Complaint Against T-Mobile: 14-C00462919 & 14-C00566066

Thank you for the attached. I am available if you need anything from me. Clearly it is perverse to not allow unlimited and even "truly unlimited" service as was promised by T-Mobile to a customer whom remained loyal to them and paid on time and it was a failure of T-Mobile to not deliver to such a customer this promise which was part of a customer loyalty program "unlimited loyalty" etc. Further it was wrong for T-Mobile to deliberately obfuscate this issue by wrongfully blemishing my credit and further lying or not executing on the resolution alleged to all parties.

I am always ready to turn a bad situation into something positive for all parties. Let me present an example of how this might be resolved. I propose T-Mobile allow me to create a micro-MVNO (mobile virtual network operator) to help resolve the problems I have experienced for myself and others, and allow me the opportunity to demonstrate better customer experience to customers I would develop and in doing so hopefully seek profit for their entity and my own that I would form to operate the MVNO, similar to Project Fi, Straight Talk (TracFone), MetroPCS or others. I would expect no minimum commitments and the same cost/margin structure as Project Fi or MetroPCS. In doing so it gives us (myself, T-Mobile and the FCC) the opportunity to work together for something better and create positive change. I do expect the credit reporting issue to be cleared up and for unlimited service to be re-established for my individual use at a fair price (near T-Mobile's cost) for my single account (not necessarily in the MVNO) and a device provided (given the outstanding credit I am due).

The resolution above essentially costs T-Mobile nothing or very little and it creates an opportunity for us both to do something positive with this experience and it is a very easy solution for T-Mobile to achieve. If this easy solution cannot be achieved I must proceed with a formal complaint.

Respectfully,

(b)

(6)

On 10/30/2015 05:29 PM, Tracy Bridgham wrote:

Sorry, I meant for this note to be attached.

From: Tracy Bridgham

Sent: Friday, October 30, 2015 5:25 PM

To: (b) (6)

Subject: RE: Regarding Your Inquiry About Filing A Formal Complaint Against T-Mobile: 14-C00462919 & 14-C00566066

Thanks (b) (6), I found the correspondence that should have resolved this matter. I am going to forward it on with my earlier request for a check on the outcome here. Meanwhile, perhaps this is helpful to you for mortgage application purposes. I've redacted the name of the person who assisted until I can reach her again.

Below is her statement (she is a distinguished attorney in T-Mobile's Washington DC Office). A formal complaint is not a good avenue. Let's touch base next week. Hopefully, this newly uncovered email will jog some memories. Thank you for your response and patience.

From: [mailto: @t-mobile.com]

Sent: Tuesday, February 10, 2015 2:05 PM

To: Tracy Bridgham

Cc:

Subject: RE: Help to wrap up collection issue: 14-C00566066 (b) (6)

Hi Tracy,

I wanted to circle back to you regarding this matter. Our Executive Customer Relations (ECR) Team was able to further investigate this matter. In response to your inquiry below, the attached screenshot represents an internal notation concerning (b) (6)'s account. Our ECR team was able to confirm that T-Mobile removed (b) (6)'s account from third-party collections and instructed the collection agency to delete any negative information reported to the credit bureaus regarding his debt. Further, (b) (6) currently is free to pursue new service with T-Mobile if he so chooses. To this end, the attached letter was sent to Sharon Bowers of CGB last week.

We hope you find this note responsive to your inquiry, however, please feel free to contact me if you wish to further discuss.

Regards,

| •T•••Mobile• US, Inc.

From: (b) (6)

Sent: Friday, October 30, 2015 4:42 PM

To: Tracy Bridgham <Tracy.Bridgham@fcc.gov>

Subject: Re: Regarding Your Inquiry About Filing A Formal Complaint Against TMobile: 14-C00462919 & 14-C00566066

Ms. Bridgham,

I can resend information, resubmit documents, data and evidence and recap if necessary. Is the detail of the complaints not available? Email is preferable if that works for you. What is the next step and next course of action? Thank you for your response.

Sincerely,

(b) (6)

-----Original Message-----

From: Tracy Bridgham [mailto:Tracy.Bridgham@fcc.gov]

Sent: Friday, October 30, 2015 03:24 PM

To: (b) (6)

Subject: RE: Regarding Your Inquiry About Filing A Formal Complaint Against TMobile: 14-C00462919 & 14-C00566066

Yes, I agree with you. No response has been received by T-Mobile. I've been looking through old rec this afternoon to reconnect in person? Maybe 4:45? I'm also available almost anytime on Monday.

From: (b) (6)

Sent: Thursday, October 29, 2015 3:50 PM

To: Tracy Bridgham <Tracy.Bridgham@fcc.gov>

Subject: Re: Regarding Your Inquiry About Filing A Formal Complaint Against T-Mobile: 14-C004
Ms. Bridgham, I respect your work on this and I know you respect the time I have put into this as we
Please advise.

Sincerely,

(b) (6)

On 10/28/2015 05:06 PM, (b) (6) wrote:

Is there a remedy for this? Can we get together with T-Mobile and see if there is a resolution?
complaint process immediately.

Thanks for your help.

Respectfully,

(b) (6)

On 10/22/2015 10:17 PM, (b) (6) wrote:

Thank you for the email and for all your assistance.

Respectfully,

(b) (6)

On 10/22/2015 09:23 PM, Tracy Bridgham wrote:

Thank you (b) (6) I've asked the DC Office of T-Mobile to follow-up and rectify
Tracy Bridgham, Special Counsel
Market Disputes Resolution Division
Enforcement Bureau
202-418-0967
*** Non-Public: For Internal Use Only ***

From: (b) (6)

Sent: Thursday, October 22, 2015 2:06 PM

To: Tracy Bridgham

Subject: Re: Regarding Your Inquiry About Filing A Formal Complaint Against
Ms. Bridgham, is there a resolution to this issue? Please help!

On 10/05/2015 04:01 PM, (b) (6) wrote:

I will scan in the other document received via mail.

On 10/02/2015 08:32 PM, Tracy Bridgham wrote:

(b) (6), I am so sorry that I've been unable to get back to you. We
locate the history here. If you could send me the last outcome you
will reach out to their DC office early next week.
Tracy Bridgham, Special Counsel
Market Disputes Resolution Division
Enforcement Bureau
202-418-0967

From: (b) (6)
Sent: Thursday, September 24, 2015 5:46 PM
To: Tracy Bridgham
Subject: Re: Regarding Your Inquiry About Filing A Formal C
14-C00566066

Thank you for your help, I am not sure what I would do without quite necessary. I really appreciate the FCC and your role.

Respectfully,

(b) (6)

On 09/24/2015 05:25 PM, Tracy Bridgham wrote:

Very sorry to learn of this (b) (6) I will ask our Enforcement see about next steps.

From: (b) (6)
Sent: Thursday, September 24, 2015 2:14 PM
To: Tracy Bridgham
Subject: Re: Regarding Your Inquiry About Filing A Formal C
C00462919 & 14-C00566066

T-Mobile insure both of us that the details of this matter this time has been a lie. I applied for a mortgage today a

(b) (6)

Honestly I am just trying to figure out if there is any way

The car payment doesn't show up on your credit report on the credit report besides a TMobile Collection from 2

Any kind of normal car loan would be showing up.

If we don't have any qualifying credit scores we can't d

-Justin

Justin Braun

Mortgage Consultant
NMLSR ID 372400

Wells Fargo Home Mortgage | 3235 Peachtree Rd Ne | Atlanta, GA
MAC G0140-040
Tel (770) 238-2910

Justin.L.Braun@wellsfargo.com

www.wfhm.com/justin-braun

On 02/19/2015 05:05 PM, Tracy Bridgham wrote:

Will do, thank you.

Sent from my BlackBerry 10 smartphone c
LTE network.

Original Message

From: (b) (6)
Sent: Thursday, February 19, 2015 5:04
To: Tracy Bridgham
Subject: Re: Regarding Your Inquiry Abc
Complaint Against TMobile: 14-C00462919

Sure, tomorrow at 11am EST works for me
2879

Thanks,

(b) (6)

On 02/19/2015 05:02 PM, Tracy Bridgham

Tomorrow at 11 or 1130. Pls let n
to call and what time (EST) works

Sent from my BlackBerry 10 smartp
Wireless 4G LTE network.

From: (b) (6)
Sent: Thursday, February 19, 2015
To: Tracy Bridgham
Subject: Re: Regarding Your Inqui
Formal Complaint Against TMobile:
C00566066

Of course, I also just called you
direct inward dial, I am sorry I
be glad to speak in the morning.

Respectfully,

(b) (6)

On 02/19/2015 04:40 PM, Tracy Bri

Are you free sometime in the morn

Sent from my BlackBerry 10 smartp
Wireless 4G LTE network.

From: (b) (6)
Sent: Thursday, February 19, 2015
To: Tracy Bridgham
Subject: Re: Regarding Your Inqui
Formal Complaint Against TMobile:
C00566066

We (T-Mobile and I) have corresponded. There has been no acceptable resolution. What would you suggest?

On 02/19/2015 12:00 PM, Tracy Bridgham
Hello, (b) (6), I understand you want to talk
out to you. May we talk later this week?
I am available after 4, please let me know
works well for you thereafter. I will be out
tomorrow until 1.

From: (b) (6)
Sent: Thursday, January 08, 2015
To: Tracy Bridgham
Subject: Re: Regarding Your Informal
Formal Complaint Against T-Mobile: C00566066

With regard to your question below, please find the
our conversation, please find the screen shots of company store info that list me account as CLOSED; C employees cannot even reactivate anything with it. I requested a statement stating that my account was error collections. I have received a letter on December 24, 2014 that states and while that might be the case provision any services on my account in numerous times, I can upload the for your review where T-Mobile's states that my account is with a and when I ask representatives the help. I made timely payments to over a decade, I feel this was done because of my active dispute and employees saw my account !

stat!
us and I have
ad many!
conve!
rsat!
ions with
people !
who now be

lieve I am not credit worthy or a when I demonstrated and can still timely payment history. This is marketing, and quality of service Mobile chose to make it about a redirection and they besmirched a image to do so. They incorrectly acted like it was a favor to zero Now it appears they have effectively instead of acknowledging a long history and a loyal customer who their (hopefully temporary) dishon Would you like for me to upload the recordings for your review?

On 01/06/2015 05:06 PM, Tracy Bridgham, I will speak with you through a private line number as before, do you have any papers regarding the complaint you have recently experienced, would you have them along to me beforehand? Thank you.

From: (b) (6)
Sent: Tuesday, January 06, 2015 5:06 PM
To: Tracy Bridgham
Subject: Re: Regarding Your Informal Complaint Against T-Mobile: C00566066

Thank you Ms. Bridgham, I appreciate your guidance. I am happy to speak at your convenience. Look forward to your suggestions.

Kind regards,

(b) (6)
On 01/06/2015 04:55 PM, Tracy Bridgham, Good afternoon, (b) (6) Thank you for the information thus far. Are you available for a brief call Thursday afternoon? I would like to approach to discuss with you. My availability is from 2:30 and at 4, so please let me know what is best for you. Thanks much.

From: (b) (6)
Sent: Wednesday, December 31, 2014 4:55 PM
To: Tracy Bridgham
Subject: Re: Regarding Your Informal Complaint Against T-Mobile: C00566066

Thank you Ms. Bridgham, I really appreciate your time and consideration. I respect your position and responsibility your position and respect your desire to follow you that of the FCC as you see fit and I am sure you can understand my perspective and desires. It is a long man hours and meticulous detail collection of information in an a lawful and contractual grievance. as I have because there has been no resolution and I have amassed a great supporting documentation in the form of recordings, images, documents, phone message threads and in every medium potentially necessary in an effort to fact to myself and others as fitting. If business is conducted in a parallel a consumer have the burden of recording!

records in the
at medium!
medium recording!
hardly!
essence of what
there it!

is optima
1 or not.

I do respect your busy schedule and
conducting operations over the holidays.
I respectfully await your decision
process. I wish you a happy and
also.

Sincere regards,

(b) (6)

On 12/31/2014 01:45 PM, Tracy Bridgham
Thank you, (b) (6) This is
for your time. I will get back to you
regret the delay but it is a busy
May you have a good New Year's celebration

From: (b) (6)

Sent: Tuesday, December 30, 2014

To: Tracy Bridgham

Subject: Re: Regarding Your Inquiry
Formal Complaint Against T-Mobile:
C00566066

Ms. Bridgham,

Yes I agree, but I am sure you will follow the
procedure or doing as you see best in
case, even though T-Mobile says "no
out" amount as you mention when I
still states the account is held

To recap, in rough chronological
of events that has led to the problem
I have been a customer of T-Mobile for
decade (actually more than a decade)
and 2012 T-Mobile advertised a plan
unlimited loyalty that was supposed to be
customers with an unlimited voice
that was marketed at \$49.99, I have seen
and printed content of these advertisements
were marketed in no uncertain terms
stated "no caps, no overages, no
T-Mobile has it" also stating "unlimited
without limits" there was no stipulation
these advertisements nor verbally
initiated in a voice conversation

These parameters were never tested
to be unlimited. As changes in usage
began to use more data to accommodate
increasingly connected work flow
existed were never noticed because
that I did was on my terrestrial
connection and not the mobile connection
Mobile.

For some time (two years or longer)
timely payments on this plan (unlimited)
until it was identified that this
unlimited but was limited and capped

I began to bump up against those effectively stopped my work and service, upon inquiry I was told option was available I began being per month for for some time inclu

For this extra amount I was told unlimited data, I felt that rough than sufficient to accommodate my to me, this service still this has 10Gigabytes.

Upon testing, the 10 gigabyte line told yet another "truly unlimited" available and I was to be charged. Tested and was charged for on 12/10/2012, I informed T-mobile unacceptable and from my reading review of the call records, a breach stipulations, being that I was un evidenced by my (eligible for being 01/17/2013 on printed material) I away from T-mobile because of this (insufficient (according to industry Mobile's own language) and inform complaint. Essentially the service limited at 10 Gigabytes of data to metered and not unlimited .

Unfortunately modern society dictates for mobile communications and so paid mobile from T-mobile for \$70 been paid up until the present but unlimited and therefore insufficient

I was over billed either inadvertently and had to fight for months with and the carrier to resolve the un reporting to a credit agency, this acceptably resolved, I would like reasonably price plan with unlimited plans are available now but are a determine if they are factually a language.

To this day when I call into T-mobile system advises me that the account collections even though I have, a several written statements from T incorrectly the contrary. I would demonstrate and substantiate my data and information and have a further prolonged anguish and man consumer), or I would like to file and submit data and evidence in a

Respectfully,

(b) (6)

On 12/30/2014 04:34 PM, Tracy Br:
(b) (6)

It's unfortunate that we have all
filed record of the 2014 Informal
this was a billing dispute that
Would you please provide brief b
other issues remain? If you filed
that would address this question,
attached form, would you please f
noticed a reference to some mater
submitted form but could not loca
headed out for the day but will b
tomorrow. Thanks much.

From: (b) (6)
Sent: Tuesday, December 30, 2014
To: Tracy Bridgham
Subject: Re: Regarding Your Inqui
Formal Complaint Against TMobile:
C00566066

Ms. Bridgham,

I am trying to understand the mot
recording the conversation? You
the FCC, a government institutio
complaint against a large carrier
I am a layperson and not an attor
understand this admittedly comple
legislation I am within my rights
live in a one party state (Georgi
concentring party) also it would s
absolutely necessary under the ci
a record of our correspondence ar
that you are not comfortable with
uncomfortable not to have a recor
I have forgone my comfort for you
you would be ashamed of what is s
of repercussions from the carrier
mobile, as well as the FCC regula
correspondences to their respecti
make sense that this al!

so a!
dds clarit
y and tr!
anspar!
ency!
between g
overnme!
nt and con

sumer? Why is it that you are nc
why do you now postpone the conve
it would be off the record?

Respectfully,

(b) (6)

On 12/30/2014 03:13 PM, (b) (6)

Ms. Bridgham,

As I noted, I turned the recording request. We had a scheduled meeting yes there is data and information allow to be part of the complaint and unorthodox not to speak with your preferred off-the-record set prepared information to be sent is the preferable alternative. Please make myself available to speak with convenience but respectfully, I have a long time, years in fact.

Sincere regards,

(b) (6)
On 12/30/2014 02:59 PM, Tracy Bridgham
(b) (6) I am not comfortable at this time. I regret any inconvenience caused you. What is your availability?

Meanwhile, I have reviewed the recording informal complaints from 2013 and submissions from you that I see in forms. Am I missing anything else? Thank you.

From: (b) (6)
Sent: Tuesday, December 30, 2014
To: Tracy Bridgham
Subject: Re: Regarding Your Inquiry Formal Complaint Against T-Mobile: C00566066

Should we conduct our correspondence called back at your request on a recorded line. I am not sure why to you but we had a scheduled meeting unable to communicate please advise proceed with my work schedule or speak please acknowledge.

Respectfully,

(b) (6)
On 12/23/2014 06:26 PM, Tracy Bridgham
You're welcome. May you and your holiday as well, (b) (6). I 202-418-0967.

From: (b) (6)
Sent: Tuesday, December 23, 2014
To: Tracy Bridgham
Subject: Re: Regarding Your Inquiry Formal Complaint Against T-Mobile: C00566066

Thank you for your response Ms. Bridgham. I will schedule our conversation for December 29th eastern and I look forward to speaking with you. Happy holidays to you and your family.

Respectfully,

(b) (6)

On 12/23/2014 06:14 PM, Tracy Br:

Dear (b) (6)

I am an attorney in the Enforcement Center and I would like to discuss with consumers the feasibility of filing formal complaints. I was asked to contact you. Are you available on Tuesday, December 23, 2014 between 2:30 and 4, Eastern time? If not, please let me know what times next week would be convenient for us to discuss this process. Please plan to attend for 15 minutes. Thank you.

Prior Correspondence Below:

From: (b) (6)
Sent: Friday, December 19, 2014 10:58 AM
To: Rosemary McEnergy
Subject: Fwd: CIMS00004720019 - I received your response from representative PCCI

Ms. McEnergy,

I would like to file a formal complaint with the FCC. I have lodged in the cases below. Please let me know if you have any questions.

Respectfully,

(b) (6)

----- Forwarded Message -----
Subject: CIMS000047
Center response from representative PCCI
Date: Wed, 3 Dec 2014 12:05:00
From: DoNotReply@fcc.gov
Reply-To: DoNotReply@fcc.gov
Organization: FCC
To: (b) (6)

You are receiving this email in response to your inquiry to the FCC.

(b) (6) I received your phone call regarding both cases (14-C00462919 & 14-C00462919) and the attachments. The responses from the carriers are adequate according to our Sec. 20 of the Communications Act of 1996. The attachments include 2012 billing and payments, it also includes notices.

The T-Mobile Responses are acceptable regarding your wireless cell phone service. The service is not guaranteed, and you use you might experience a reduction in service with all carriers providing broadband service.

If you wish to pursue this issue through a formal complaint, and follow it's

Mary E.V. Riddick, CAM
Washington Consumer Center
Consumer Inquires and Complaints

This e-mail contains an attachment in a format that is not supported by your e-mail client. If you are unable to open the attachment, it is most likely because your e-mail client does not have Adobe Reader, which is the program that is required to open these types of files. You can install Adobe Reader from the Adobe Web site at <http://www.adobe.com/products/acrobat>.

You are receiving this e-mail regarding your inquiry/complaint. Please note that our system does not accept inbound e-mail. If you need to respond to this e-mail message, please contact us by phone or fax.

If you need additional information regarding your inquiry/complaint, our Consumer & Complaint Specialists are available Monday through Friday, 9 a.m. to 5:30 p.m. ET to assist you. You can reach us by phone at (1-888-225-5322) voice or 1-888-225-835-5322) TTY. Please save the e-mail to your hard drive to refer to it when following up with the agency.

Mailout Attachment Name : HOW2FILE
attachment)
Representative Number : PCC11

Mike Hennigan

From: (b) (6)
Sent: Tuesday, May 03, 2016 3:07 PM
To: Ombudsperson
Subject: Fwd: FCC - (b) (6) - CenturyLink Response
Attachments: (b) (6) IC 922570.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Michael,

I rec'd this response today and I feel it is unacceptable for CenturyLink to falsify their response to the FCC. I was already aware they are not going to spend money in our town to upgrade the system. The bottom line is we have been doing speed tests through the recommended service of speedtest.net and have had speeds less than 50% of the advertised speeds. I don't feel they addressed the fact that they are still adding customers to "overloaded" lines and cannot offer consistent speeds due to the capacity issue. As I mentioned to you, on our website, www.winlockneedsinternet.com, we have dozens of people with documented evidence of speeds that are no where near the 87-100% that Joni Duran from CenturyLink is claiming. IF I was anywhere near that speed, I would have never filed a complaint because it would be enough to watch a Facebook Video or enough speed to watch a youtube video or even enough speed to load Gmail.

What is amazing, is as soon as I rec'd this email response, I immediately ran a speedtest and for the first time in years, I got 1.4 Mbps!! How is that possible. If my service were this great, there would be no need to complain. Please let me know what the next steps are. If I need to go door to door and have other file complaints with evidence that nobody is getting near the 87-100%, then that is what I will do. In my opinion, this response is false and misleading and CenturyLink once again is not being transparent. The last time I called CenturyLink because of super slow speeds, the technician called my home phone and said there was nothing he could do and they were well aware I was below 1 Mbps. The technician didn't even bother coming to my house (this is after I called the recommended number that Ms. Duran just put in her letter and they couldn't solve the issue to they were sending a tech out) and he just took care of my escalated issue over the phone without even coming to my house. How did he take care of it, he just told me there was nothing he could do and that the lines were over capacity. No discounts, no other options, nothing. Just let me know what we already knew so we continued to deal with speeds less than 1 Mbps.

I will wait for your response but this is pretty upsetting that they can blow this off as if they have done nothing wrong. To even state that I am getting 87-100% of the 1.5 Mbps, is an insult and I would demand to see records of how they came up with that number. I also find it very fishy that our speed is at its highest ever today. I will reach out to neighbors and see what they say.

Thank You,

(b) (6)

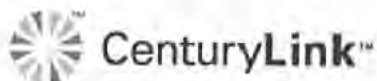
----- Forwarded message -----

From: Duran, Joni <Joni.Duran@centurylink.com>

Date: Tue, May 3, 2016 at 11:35 AM

Subject: FCC - (b) (6) - CenturyLink Response

To: (b) (6)



May 3, 2016

Ms. Sharon Bowers

Federal Communications Commission

Consumer Inquiries and Complaints Division

445 12th Street, SW CY-B523

Washington, DC 20554

Re: (b) (6) IC# 922570

Notice of Complaint filed 4/20/2016

Dear Ms. Bowers:

Please be advised that CenturyLink has completed a review of the informal complaint filed by (b) (6). In the complaint, (b) (6) states that his 1.5mbps has gotten progressively slower. CenturyLink says that his area is over capacity, and he pays for service that he's not even close to getting. He is aware that CenturyLink has accepted CAF II funding.

In researching this case with the CenturyLink Legal and Public Policy department, it was determined that (b) (6)'s area was not selected for Connect America Funding.

CenturyLink records show that (b) (6) connectivity runs from 87-100% of his provisioned speed of 1.5mps. At this time, no faster speeds are available.

An upgrade for this area is tentatively planned for 2019, however all plans are subject to change, and this upgrade is not guaranteed.

CenturyLink regrets that we cannot provide a faster speed to (b) (6). If he experiences further issues, he needs to contact our technical support group at [877 348-9005](tel:877-348-9005).

Sincerely,

Joni L. Duran

cc: (b) (6)

This communication is the property of CenturyLink and may contain confidential or privileged information. Unauthorized use of this communication is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender by reply e-mail and destroy all copies of the communication and any attachments.

Mike Hennigan

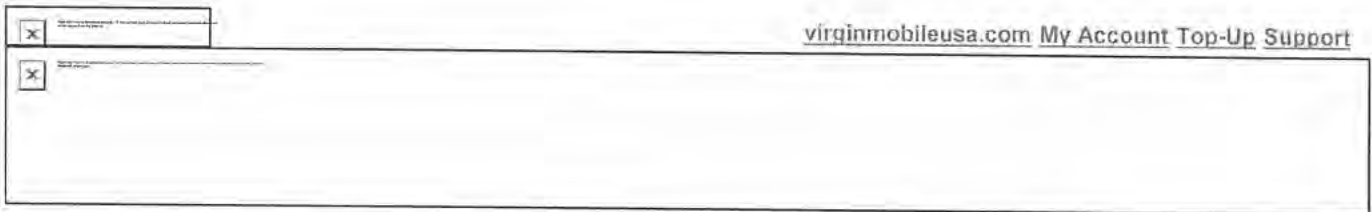
From: (b) (6)
Sent: Wednesday, June 17, 2015 6:56 PM
To: Ombudsperson
Subject: Fwd: Account Notice for (b) (6)

Follow Up Flag: Follow up
Flag Status: Completed

AT&T is not the only company out there reducing data speeds for it's UNLIMITED customers. Here is evidence that I receive EVERY MONTH only days after paying them for my monthly service.

----- Forwarded message -----

From: <noreply@virginmobileusa.com>
Date: Wed, May 27, 2015 at 3:51 PM
Subject: Account Notice for (b) (6)



Here's important news about your account:

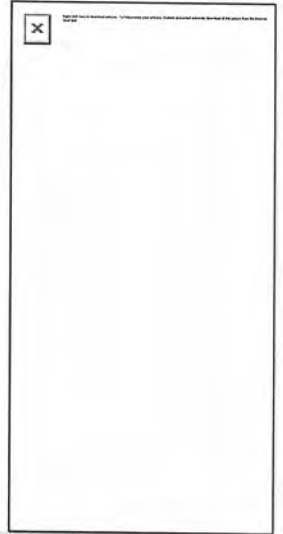
Confirmation no.: 1659142867 Date/Time: May 27, 2015 01:46 pm(CST)
Your account has used 85 percent of your data usage cap. Once you reach 2560.000MB of usage, we'll reduce your data speeds through 06/21/2015.

To check out your account online, go to virginmobileusa.com any time. If you'd like to talk about this notice, please give us a call at: 877-877-8443

Did you know?

- Your PIN is required whenever you contact us so please have it on hand when you call or access your account online.
- If you recently provided us with a new email or mailing address, we are required by law to send notices (like this one) to your old address for the first 30 days. Once the 30-day transition period has elapsed, we will send notices to the new email address.

Keep rocking,
Virgin Mobile



Virgin Mobile reserves the right, without notice, to limit throughput speeds when monthly data usage exceeds the applicable data usage limit. Connectivity dependent upon compatibility and speeds may vary. Customers will continue to have data access but maximum speeds may be limited to 256Kbps or below for the remainder of the monthly plan cycle. During this time, customers may experience slower page loads, file downloads, and degraded streaming media. Throughput speeds will be restored when your new monthly plan begins.

This email was sent to you by Virgin Mobile as an important heads up about your account and service. Even if you've opted out of promotional emails, you may still receive messages like this because, well, it's stuff you need to know.

But don't fret, your privacy is still very much important to us. It's why we're not knocking on your door, or bombarding you with weird personal questions (you can read all about it in our [Privacy Policy](#)).

If you've got questions or comments, don't reply to this email, it'll just get lost in the vast expanse of the internets. Instead, contact us at ourteam@virginmobileusa.com, or send a letter to Virgin Mobile, 10 Independence Blvd., Warren, NJ 07059.

Mike Hennigan

From: Ombudsperson
Sent: Friday, March 04, 2016 3:31 PM
To: (b) (6)
Subject: FW: UPDATE (b) (6) VS. COMCAST # 757854

Fyi.

From: (b) (6)
Sent: Friday, January 22, 2016 11:51 AM
To: Ombudsperson
Subject: UPDATE (b) (6) VS. COMCAST # 757854

Mr. Jensen:

First communication with Comcast Data Security Service: (1-21-2016)

1) Contact Christy - 888-565-4329 x11280
Comcast Ticket # NN - 197769598

2) Denied Comcast Throttles data.

3) Reviewed geographic area service - no issues.

4) Categorically denied Comcast throttles data, but had absolutely NO explanation for data throughput speeds of 1-2 mbps. (Plan 150 mbps)

5) Has scheduled a FIFTH service technician to come to my home.

I will advise any updates.

(b) (6)
757854

Mike Hennigan

From: Ombudsperson
Sent: Friday, March 04, 2016 3:37 PM
To: (b) (6)
Subject: FW: UPDATE: CASE # 757854 - (b) (6) V. COMCAST
Attachments: Comcast Data Use Nov. 2015.docx; January 2016 Data Use.docx; Netflix Speed Test-1.docx; Non-Throttled Netflix Speed Test-1.docx

Fyi.

From: (b) (6)
Sent: Tuesday, February 02, 2016 11:31 AM
To: Ombudsperson
Subject: UPDATE: CASE # 757854 - (b) (6) V. COMCAST

CASE # 757854 - (b) (6) V. COMCAST

Feb. 2, 2016

Mr. Jensen:

I am writing this letter to update you on my recent contacts with Comcast regarding my on-going FCC Complaint (#757854). The following experience regarding a service charge (\$40) is a prelude to my conversation with two Comcast employees (contact information below) regarding my FCC case who both offered to send a *FIFTH* technician to my home to certify my network.

I received a service charge in error that took three phone calls to resolve, two went unanswered by Comcast supervisors after Comcast service representatives refused to reverse the charge and I further escalated the issue. The third CSR indicated the service tech had documented on his call sheet that I should not be charged and promptly credited my account. As a result of this experience, I communicated to Comcast employees Ms. Pierre and Christy, who were assigned by Comcast to review my complaint, on Jan. 27, that I would need an email from them stipulating that I would not be charged for a service technician to certify my network. I have not heard from either since.

I sent you a copy of the letter and attached documentation dated Jan. 27, to Darlene Pierre that provided extensive evidence of systematic data throttling. On Feb. 1, my Netflix data stream was *un-throttled* as a result of lower data use in Jan. 2016. The attached documents indicate my data level for January was 96 gb (average data use Oct. 2015-Dec. 2015 250 gb). I show the real time data flow that the Netflix stream has been *UN-THROTTLED*, providing a 70-85 mbps burst followed by data bursts of 3-20 mbps for two different films. Unfortunately, Comcast continues to *THROTTLE* all of my other video data streams.

I frankly do not know where we go from here. Comcast simply will not address my issues, and the systematic throttling of my video data streams in direct violation of FCC Net Neutrality Regulations. I appreciate your effort and look forward to any suggestions or alternative actions we may pursue.

Respectfully,

(b) (6)

(b) (6)

Comcast Representatives:

Darlene Pierre
Executive Customer Relations
Comcast |Northeast Division
410-931-5213 | Office

Christy
1-888-565-4329
x-11280

Mike Hennigan

From: Ombudsperson
Sent: Monday, May 23, 2016 11:18 AM
To: Michael Janson
Subject: FW: Unanswered Complaint/Reply

Follow Up Flag: Follow up
Flag Status: Completed

Michael,

This email was in the email box and I understand that you have forwarded a copy of the response to the consumer. This complaint was served prior to the June 15th Net Neutrality date. I know that this would not make much difference because AT&T still deploys “network management” techniques. However, did you want to have the consumer generate another complaint to determine how it will be answered, presently?

Thanks,

Robin

From: (b) (6)
Sent: Monday, May 23, 2016 10:21 AM
To: Ombudsperson
Subject: RE: Unanswered Complaint/Reply

Dear Ombudsperson – I never received a response to my complaint. I am preparing to travel and will review it upon return. I appreciate your prompt reply and will contact you if I find the reply unpersuasive.

From: Ombudsperson [<mailto:Ombudsperson@fcc.gov>]
Sent: Sunday, May 22, 2016 10:32 PM
To: (b) (6)
Subject: RE: Unanswered Complaint (b)

(b) (6) –

Thank you for contacting the FCC’s Open Internet Ombudsperson. I went into our system and found your provider’s response to your complaint and it is attached to this email. Did you receive a copy of this response previously?

If you find your provider’s response insufficient, we can schedule a time to discuss it.

Thank you.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: (b) (6)
Sent: Sunday, May 22, 2016 1:29 PM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Unanswered Complaint

Dear Ombudsperson

Over a year ago I filed a throttling complaint with the FCC (I am not longer able to identify the docket number) and received a response in which it was stated that ATT would respond directly to me. Instead, I have since received another and more recent warning that I if I exceeded an arbitrary limit on my I-Phone I would have my access permanently slowed. When I signed up with ATT it was on the basis of unlimited lifetime internet access.

My phone number is (b) (6).

I urge the FCC to insist upon compliance with the regulations on which spectrum is licensed – as well as with the clear directives which in my case were completely ignored.

Mike Hennigan

From: Ombudsperson
Sent: Friday, March 04, 2016 3:24 PM
To: (b) (6)
Subject: FW: Streamlining regulations.

Fyi.

-----Original Message-----

From: (b) (6)
Sent: Friday, March 04, 2016 9:58 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: Streamlining regulations.

I've recently been made aware that my internet provider has changed the way it sells Internet without any notice. I don't like the fact that I wasn't made aware of this in advance so I could make an informed decision. Instead, I was hit with a notice that said I was already over my allocated usage and would be penalized. While trying to determine what to do, I had 3 different people from the same company tell me different stories. Is there not a law about giving consumers advance warning about a change in practice?

Also....I question their "metering" of my usage as it seems outrageous. I have an electric meter that I can see running if I leave my lights on, the water company has a meter, the gas company has a meter.....yet this company has no way of verifying what they claim is my usage? Aren't there any rules pertaining to this?

I've had this service for years and never had a usage cap. Now they want to charge me TWICE as much for the same exact service I've had for years.

If there were other options, I'd switch. Unfortunately this company knows this area is hit with poor options so it has targeted us for a cap that MOST parts of the country have never had just because they can and there is no notice until I'm over their cap that I didn't even know existed?!?

In His grace.....

Mike Hennigan

From: Robin McCullough
Sent: Wednesday, July 29, 2015 5:12 PM
To: Ombudsperson
Subject: FW: Response Copies - Email from (b) (6)

Follow Up Flag: Follow up
Flag Status: Completed

Sent as an FYI – (only).

Robin

From: (b) (6)
Sent: Wednesday, July 29, 2015 4:48 PM
To: Sharon Bowers
Cc: Teresa Flasher ; Robin McCullough
Subject: Re: Response Copies

Hello, again.

If the Commission found the response by Verizon Wireless on June 11 (attachment: "response 2.pdf") insufficient, it should find the supplemental response sent on July 27 (attachment: "response 1.pdf") insufficient as well.

Compare the letters side-by-side. The second has slightly different wording, but it doesn't expand on anything from the first form letter:

- * It again neglects to address monetary discrimination against third-party devices or whether the carrier will return discounts it should have applied but did not.
- * It again mentions "Verizon Wireless software" but fails to specify what exactly qualifies as "Verizon Wireless software" (Verizon Backup Assistant? NFL Mobile?) or how this software is necessary for operation pursuant to 47 CFR § 27.16(b).
- * It again fails to address that since at least April 2015, the carrier claimed delivery of "Verizon Wireless software" to Motorola Nexus 6 smartphones was not possible, but in fact, software images and updates from Google already had Verizon Wireless software.[1, 2, 3] Way back in October 2014, Dave Burke, VP of engineering for the Android platform and Nexus devices at Google, said: "What happens now is when you've got a Verizon SIM in the device, it actually installs Verizon apps as part of the setup flow, and then you can remove them if you want as part of the Play Infrastructure. And Verizon can update it." [4]

Regards,

(b) (6)

[1] XDA Developers. Verizon Bloat in 5.1. <http://forum.xda-developers.com/nexus-6/general/verizon-bloat-5-1-t3052357> (July 29, 2015)

[2] Quentyn Kennemer, 2015. PSA: North American Nexus 6s have a tad bit of Verizon bloatware after Android 5.1

(even if you're with a different carrier). <http://phandroid.com/2015/03/12/nexus-6-verizon-backup-bloatware/>

[3] Shawn De Cesari, 2015. [Ermahgerd] Verizon Apps Spotted On The Nexus 6's System Partition After The Android 5.1 Update, Rustled Jimmies Ensue. <http://www.androidpolice.com/2015/03/13/ermahgerd-verizonapps->

[spotted-on-the-nexus-6s-system-partition-after-the-android-5-1-update-rustled-jimmies-ensue/](http://www.androidpolice.com/2015/03/13/ermahgerd-verizonapps-spotted-on-the-nexus-6s-system-partition-after-the-android-5-1-update-rustled-jimmies-ensue/)

[4] Ron Amadeo, 2014. Transcript: Ars talks to Android execs about Lollipop and the Nexuses.

<http://arstechnica.com/gadgets/2014/10/28/transcript-ars-talks-to-android-execs-about-lollipop-and-the-nexuses/>

On Wed, Jul 29, 2015, at 12:47 PM, Sharon Bowers wrote:

Hello (b) [REDACTED]

Attached are the copies of the responses as a result of your original complaint filing (300766) and the rebuttal to the original response from Verizon Wireless.

You should be receiving the originals directly from the Carrier.

Sharon Bowers
Division Chief
Consumer & Governmental Affairs Bureau
Consumer Inquiries & Complaints Division
717-338-2533 Office
202-528-4562 Blackberry
Sharon.bowers@fcc.gov

*** Non-Public: For Internal Use Only ***

Email had 2 attachments:

- response 1.pdf
136k (application/pdf)
- response 2.pdf
108k (application/pdf)

Mike Hennigan

From: Ombudsperson
Sent: Tuesday, May 03, 2016 10:51 PM
To: (b) (6)
Subject: FW: (b) (6) - Rebuttal Response - ticket # 883941 - ATTACHED
Attachments: (b) (6) RebuttalResponse.docx

(b) (6) -

Your provider responded to your rebuttal. See attached.

If, after you've had a chance to review the response, you would like to discuss this further, let me know and I'll schedule a time for us to discuss potential next steps.

Best –
Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: Robin McCullough
Sent: Wednesday, July 29, 2015 5:49 PM
To: Ombudsperson
Subject: FW: Response Copies

Follow Up Flag: Follow up
Flag Status: Completed

FYI – (b) (6)

From: (b) (6)
Sent: Wednesday, July 29, 2015 5:47 PM
To: Sharon Bowers
Cc: Teresa Flasher ; Robin McCullough
Subject: Re: Response Copies

One more thing. In both responses, Verizon Wireless states:

"Should the Federal Communications Commission have any questions, please contact S. Kashif using the contact information you have on file."

Verizon Wireless has not yet answered Questions 1–8 in the informal complaint I filed. Please contact "S. Kashif" and ask these questions.

Thanks,

(b) (6)

On Wed, Jul 29, 2015, at 01:47 PM, (b) (6) wrote:

Hello, again.

If the Commission found the response by Verizon Wireless on June 11 (attachment: "response 2.pdf") insufficient, it should find the supplemental response sent on July 27 (attachment: "response 1.pdf") insufficient as well.

Compare the letters side-by-side. The second has slightly different wording, but it doesn't expand on anything from the first form letter:

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installs Verizon apps as part of the setup flow, and then you can remove them if you want as part of the Play Infrastructure. And Verizon can update it.”[4]

Regards,

(b) (6)

[1] XDA Developers. Verizon Bloat in 5.1. <http://forum.xda-developers.com/nexus-6/general/verizon-bloat-5-1-t3052357> (July 29, 2015)

[2] Quentyn Kennemer, 2015. PSA: North American Nexus 6s have a tad bit of Verizon bloatware after Android 5.1 (even if you're with a different carrier). <http://phandroid.com/2015/03/12/nexus-6-verizon-backup-bloatware/>

[3] Shawn De Cesari, 2015. [Ermahgerd] Verizon Apps Spotted On The Nexus 6's System Partition After The Android 5.1 Update, Rustled Jimmies Ensue.

<http://www.androidpolice.com/2015/03/13/ermahgerd-verizonapps-spotted-on-the-nexus-6s-system-partition-after-the-android-5-1-update-rustled-jimmies-ensue/>

[4] Ron Amadeo, 2014. Transcript: Ars talks to Android execs about Lollipop and the Nexuses. <http://arstechnica.com/gadgets/2014/10/28/transcript-ars-talks-to-android-execs-about-lollipop-and-the-nexuses/>

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You should be receiving the originals directly from the Carrier.

Sharon Bowers
Division Chief
Consumer & Governmental Affairs Bureau
Consumer Inquiries & Complaints Division
717-338-2533 Office
202-528-4562 Blackberry
Sharon.bowers@fcc.gov

*** Non-Public: For Internal Use Only ***

Email had 2 attachments:

- response 1.pdf
136k (application/pdf)
- response 2.pdf
108k (application/pdf)

Mike Hennigan

From: (b) (6)
Sent: Wednesday, June 29, 2016 10:01 AM
To: Michael Janson
Subject: Fw: Process for filing informal complaint

Follow Up Flag: Follow up
Flag Status: Completed

Hi, Mr. Janson.

I have my letter ready to send to Mr. Killion. I want to try contacting the people on the petition to see what their problems are with AT&T to include, but don't want to wait on sending the letter since it may take a while to hear back from everyone. Do you think it is fine to send this letter with my experience and then to later add the information I get from the other petitioners? Or, will Mr. Killion contact the other petitioners himself? Thanks, (b) (6)

On Tuesday, June 28, 2016 2:24 PM, (b) (6) wrote:

Sorry. Have another question.

In your email you mention the FCC provides financial support to encourage deployment of broadband service to underserved areas. Does the FCC do this also for fiber like Uverse? I am in the process of trying to find out how far we are from a Uverse line and how much it would cost to lay down the line.

Thanks again.

On Tuesday, June 28, 2016 2:19 PM, (b) (6) wrote:

Hi, again. Just a few questions before I compose my letter to Mr. Killion:

The transparency rule include "that every American has access to **robust** high-speed internet..." I don't feel that the 1.5 speed I am paying for (and not really getting even that) is robust. What does the FCC consider robust?

Does the fact that companies say services "aren't available in all locations" make it difficult to demand better service?

Thanks so much. (b) (6)

On Friday, June 24, 2016 2:44 PM, Michael Janson wrote:

No problem – Happy to help. If you need anything or have any questions, feel free to be in touch.

From: (b) (6)]

Sent: Thursday, June 23, 2016 6:14 PM

To: Michael Janson

Subject: Re: Process for filing informal complaint

Thanks so much for your help. I will review the information and talk with Teresa and the Mayor to see what we should do next. I really appreciate your help. (b) (6)

On Thursday, June 23, 2016 4:26 PM, Michael Janson <Michael.Janson@fcc.gov> wrote:

Ms. (b) (6)

It was good talking with you earlier this week. Thank you for discussing your concerns with me. As I understand it, you are concerned about the Internet service that AT&T is offering in your community. In connection with this issue, you are concerned that AT&T may not be adequately disclosing the level of service, particularly with regard to speed and reliability, that it can provide to your community and that this lack of disclosure may violate our open Internet transparency rule. Initially, let me say that the FCC is committed to promoting broadband deployment, competition, and consumer choice. We have a number of proceedings that advance these goals and we provide financial support to encourage deployment of broadband in underserved areas. That being said, broadband deployment is not required under our Open Internet rules.

Our Open Internet rules, however, require broadband providers to disclose accurate information about the services they offer consumers. Here is the text of our transparency rule:

47 Code of Federal Regulations § 8.3 – Transparency

- **“A person engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access services sufficient for consumers to make informed choices regarding use of such services and for content, application, service, and device providers to develop, market, and maintain Internet offerings.”**

For your reference on the transparency rule, I have attached two pdfs to this email: (1) an FCC consumer guide on the transparency rule, and (2) the Open Internet Order, which the Commission adopted in February 2015. See, specifically, paragraphs 23-24, and 154-185 of the Order for discussions of the transparency rule.

With regard to our informal complaint process, the FCC’s informal complaint process provides consumers with a way to register their concerns with the FCC and their providers. Your complaint was signed by 48 individuals and as such it may benefit from being handled by our Market Disputes Resolution Division (MDRD), rather than through our Zendesk intake system where you initially submitted it.

Here is some information about filing an informal complaint with MDRD:

- To file an informal common carrier complaint, the complaining party need only submit a letter to the Chief of the Market Disputes Resolution Division, Christopher Killion, 445 12th Street SW, Washington, DC 20554, describing the alleged violation of the Communications Act. There is no fee associated with filing an informal complaint. The letter must include the name of the defendant carrier, a complete statement of the facts, and the relief sought. In addition, the complainant may request mediation in the informal complaint letter.
- Once MDRD receives an informal complaint, it will transmit the complaint to the defendant carrier and typically will require the defendant to submit a response within thirty days. Even before the response deadline, parties can explore the possibility of private settlement or engage in FCC-supervised mediation. A complainant that is not satisfied with the defendant’s response, and has not been able to resolve the dispute through private settlement or subsequent mediation, has six months from the date of the response to convert the informal complaint into a formal complaint and maintain the filing date of the informal complaint. See 47 C.F.R. § 1.718. Informal complaints do not result in written orders issued by the Commission.

When submitting a letter explaining your informal complaint, you should make it clear that you are filing an “informal complaint” under our informal complaint rules - 47 CFR § 1.716 and 47 CFR § 1.717. Additionally, it is helpful to the Commission and to your provider if you explain specifically how you think our rules have been violated, with citation to the relevant rules and quotation of our rules as appropriate. You are welcome to submit supporting evidence as well as the scanned pages of the individuals in your community that signed your complaint. As mentioned above, the materials that you submit to the MDRD will ordinarily be provided to your provider so that your provider can respond to your complaint.

I have given MDRD a heads up that you may be filing an informal complaint with them. You can email your complaint directly to Christopher Killion, the Division Chief of MDRD, at Christopher.Killion@fcc.gov. After you have emailed your complaint to MDRD, please forward me a copy of the email so that I can make sure the complaint is handled properly.

And after you receive a response from AT&T and/or if you have any questions along the way, please feel free to be in touch with me.

Best –

Michael

| FCC Open Internet Ombudsperson| ombudsperson@fcc.gov | (202) 418-1155 |

Mike Hennigan

From: Ombudsperson
Sent: Monday, February 29, 2016 1:38 PM
To: (b) (6)
Subject: FW: Open Internet complaint about censoring
Attachments: Brookdale internet policy.pdf

Fyi – This just came in.

From: (b) (6)
Sent: Monday, February 29, 2016 12:58 PM
To: Ombudsperson
Subject: Open Internet complaint about censoring

Dear Sir/Madam:

I am a resident at a senior citizen continuing care community owned and operated by Brookdale Senior Living. Brookdale is the nation's largest provider of senior living facilities. In particular, I am a resident of the Brookdale facility known as (b) (6).

The resident contract for all of the residents at Freedom Pointe specifies that "high speed internet" is a "utility" that is "included in your Monthly Fee". Until approximately one month ago, our internet access was provided through Comcast. We enjoyed the Comcast internet service for several years and it was quite good, and most importantly, uncensored. Starting approximately one month ago, Brookdale decided (for reasons we residents have not been told) to redirect the Comcast service through their own corporate servers. Apparently, those servers are set up to filter internet content and not allow access to sites that Brookdale, in their sole discretion, deems to be offensive or harmful.

I have attached one page from a recent Brookdale newsletter in which they describe in detail their policy on internet blocking. Since we residents have not been told of the reasons for the recent reconfiguration we can only wonder why the concerns Brookdale expressed in their newsletter have just now become concerns. Brookdale was never concerned for the many years that Comcast gave us unfiltered access.

Certain residents recently directed the attention of (b) (6) management to the FCC web site describing the FCC's Open Internet policy and how it forbids blocking. Brookdale responded by claiming that Brookdale is not bound by that FCC policy because they are not the internet provider. They claim that Comcast is still the internet provider even though Brookdale is filtering the content.

Brookdale's argument seems very suspicious to the residents. However, without outside help we have no way to refute their interpretation. Any help that you can give us in this matter is greatly appreciated.

Sincerely,

(b) (6)

(b) (6) [REDACTED]

[REDACTED]

[REDACTED]

Mike Hennigan

From: Parul Desai
Sent: Tuesday, July 21, 2015 4:44 PM
To: Ombudsperson
Subject: FW: Ombudsperson Q

Follow Up Flag: Follow up
Flag Status: Completed

WCB/Claude will talk to Mr. Woollum about his 7/6/16 email to Ombuddy.

Sincerely,
Parul

From: Claude Aiken
Sent: Tuesday, July 21, 2015 3:56 PM
To: Parul Desai; Madeleine Findley
Subject: RE: Ombudsperson Q

FYI, I have reached out to Mr. Wollum to find out a time that works for all of us, but have not yet heard back. I will keep you posted.

From: Claude Aiken
Sent: Friday, July 17, 2015 2:26 PM
To: Parul Desai; Madeleine Findley
Subject: RE: Ombudsperson Q

(b) (5)

From: Parul Desai
Sent: Friday, July 17, 2015 10:43:21 AM
To: Claude Aiken; Madeleine Findley
Subject: Re: Ombudsperson Q

(b) (5)

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Claude Aiken
Sent: Friday, July 17, 2015 10:39 AM
To: Parul Desai; Madeleine Findley
Subject: RE: Ombudsperson Q

Hi Parul,

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

(b) (5)

Thanks,
Claude

From: Parul Desai
Sent: Wednesday, July 08, 2015 9:36 AM
To: Madeleine Findley; Claude Aiken
Subject: Ombudsperson Q

Hi Guys,

For some reason, I can't forward emails from the Ombudsperson inbox, a (b) (5)

(b) (5)

From: Brett Woollum [<mailto:brett@tekify.com>]
Sent: Monday, July 06, 2015 8:04 PM
To: Ombudsperson
Subject: BIAS Provider Structure Access - Questions for the FCC

Hello FCC Ombudsperson,

I'm writing regarding the FCC's new Open Internet rules. I am seeking the FCC's input on how Section 224 will apply to ISP's seeking to attach fiber cables to existing poles and into existing conduits.

My company, (b) (8), has sent a request to AT&T and the Northern California Joint Pole Association (NCJPA) to initiate negotiations for structure access. Our intent is to build a high-speed fiber optic network in portions of the SF Bay Area utilizing existing poles and underground conduits owned by the organizations. These requests were sent in to both organizations about 3 weeks ago, and in both cases we were told that the organization has no processes in place for allowing BIAS providers access to their structures without a CPCN (which is issued by the CA CPUC). Thankfully AT&T has remained in contact, and we are

hoping they will have policy changes in place ASAP to allow us to utilize their conduits soon. NCJPA will be discussing this issue with their board in July and getting back to us.

I've reached out to the CA CPUC, and they've confirmed that they will not be issuing CPCN's for BIAS providers due to the FCC's preemption of certifications that would create a barrier to entry. Interestingly enough, however, is that the CA CPUC won't say whether it has or will be regulating pole attachments and underground duct construction by BIAS providers. As you may know, the CA CPUC has General Order 95 (aerial) and 128 (underground), which defines construction standards for overhead and underground utility lines in CA.

My questions:

1. How long should the NCJPA, or AT&T, or any other incumbent provider, have to institute a policy of allowing BIAS providers access to structures under Section 224? As of now, their delays are only serving to delay our entrance into the market.
2. Does the CA CPUC have jurisdiction to regulate overhead and underground construction standards by BIAS providers? Can they apply General Orders 95 and 128 to BIAS providers?
3. Will the FCC provide any type of registration system for BIAS providers that would allow them to "formalize" their utility status?
4. Can you point me in the direction of any orders/NRPM's/etc that explain what rights a BIAS provider has when it comes to obtaining public rights-of-way for fiber networks? What requirements may cities, counties, or the state, impose on a BIAS utility looking to place aerial or underground fiber optic cables on public land?

Thank you for your attention and support.

(b) (6)

Chief Executive Officer

(b) (6)

(b) (6)

(b) (6)

(b) (6)

(b) (6)

Mike Hennigan

From: Parul Desai
Sent: Monday, November 02, 2015 3:22 PM
To: Ombudsperson; Michael Janson
Subject: FW: Net Neutrality

Follow Up Flag: Follow up
Flag Status: Completed

Sincerely,
Parul

-----Original Message-----

From: (b) (6)
Sent: Monday, November 02, 2015 3:20 PM
To: Parul Desai <Parul.Desai@fcc.gov>
Subject: Net Neutrality

Hello,

Are you the person of contact for questions concerning Net Neutrality? If so please give me a call at (b) (6) k

CONFIDENTIALITY NOTICE FROM (b) (6): information contained in this communication is confidential and intended solely for the use of the individual to whom it is addressed and others authorized to receive it. If you are not the intended recipient, any disclosure, copying, distribution or taking of any action in reliance on the contents of this information is prohibited. If you have received this communication in error, please immediately notify the sender by phone or e-mail.

Mike Hennigan

From: Ombudsperson
Sent: Friday, March 04, 2016 3:31 PM
To: (b) (6)
Subject: FW: Netflix Transmission Speeds Documented
Attachments: NETFLIX SPEED SETTING - 1.jpg; NETFLIX RECOMENDED SPEED SETTING - 1.jpg; ROKU SPEED REQUIREMENTS - 1.jpg; NETFLIX TRANSMISSION SPEED BY PROVIDER - 1.jpg

Fyi.

From: (b) (6)
Sent: Monday, January 18, 2016 12:37 PM
To: Ombudsperson
Subject: Netflix Transmission Speeds Documented

Mr. Jensen;

Additional data on the issue of transmission speeds (the speed of data from the originating source) from functional speed at user. I have attached several screen shots:

1. **Netflix Speed Settings (my account)**
2. **Netflix Required Speeds**
3. **ROKU Speed Requirements**
4. **ISP Speed Ratings**

I have confirmed via phone with Netflix that they do not throttle data transmission speeds.

Analysis:

My Netflix speed settings are at the maximum.

The required speed for HD performance for Netflix and ROKU are 5-6 mbps.

The ISP Ranking from Netflix indicate *every one* of the major ISP's send out signal that are less than required for optimal performance.

Conclusion:

Regardless of contracted internet speed (me-150 mbps), the maximum speed I can get from Comcast for streaming is 3.8 mbps. Actual *throttled* data speeds are .2-1.5 mbps. This is where the fraud exists. They advertise maximum throughput speed, but deliver minuscule video data speeds. This is The CONSUMER FRAUD!!!!

I believe this will conclude my case data. If I can assist you in any way with your investigation, please let me know.

Respectfully,

(b) (6)

Mike Hennigan

From: Ombudsperson
Sent: Friday, March 04, 2016 3:31 PM
To: (b) (6)
Subject: FW: NET NEUTRALITY VIOLATION - COMCAST (b) (6)
Attachments: COMCAST SERVICE AGREEMENT-BLAST SERVICE - 12-2015.jpg; DATA USAGE OCT. 2015.jpg; DATA USAGE NOV- 2015.jpg; DATA USAGE DEC- 2015.jpg; REPETITIVE SPEED TEST (DEGRADATION) - 1-16-16.jpg; SPEED DURING STREAMING 12-16-15.jpg; 12-16--10-46PM-NETFLIX-1.jpg; YOUTUBE 1-16-2016.jpg; DOWNLOAD FILM - SPEED - 1-16-16.jpg

Fyi.

From: (b) (6)
Sent: Saturday, January 16, 2016 2:16 PM
To: Ombudsperson
Subject: NET NEUTRALITY VIOLATION - COMCAST (b) (6)

(b) (6)

January 16, 2016

Mr. Jensen:

I am writing this letter following up our phone conversation on Friday in regard to the ongoing throttling of my video and data streams from Comcast. It is important to understand this complaint is based on solid **EMPIRICAL EVIDENCE** taken from real-time data stream measurements.

The attached documents to support my claims are as follows:

- 1) Comcast Service Contract – Blast 150 mbps.
- 2) Data Usage Oct. 2015 (No Data Caps Apply)
- 3) Data Usage Nov. 2016
- 4) Data Usage Dec. 2015
- 5) Multiple Download Speed Test (Ookla) Performance
- 6) Speed During Video Streaming
- 7) Netflix Stream Speed
- 8) YouTube Stream Speed
- 9) Download Speed – Film

Current System:

- HP Pavilion 1045 (2011)

- Comcast Modem Arris –TG 1682G
- Netgear Router R 6300 (Dual Band-Hardwired))
- Samsung Galaxy Note 10.1 (2012)
- Chromecast 2 (Hardwired)

History:

I have had four Comcast service reps evaluate my system from incoming signal to the devices. Each has confirmed there are no issues with the incoming signal or my Current System. The Comcast Router has been changed out three times, my Netgear router has been changed out twice. Note: Every network suffers from periodic congestion, but these data suggest the data degradation is *determined and deliberate*.

Media/Lab Reports – Data Throttling

Stop Throttling by your Internet Provider

<http://www.vpntopen.com/how-to/stop-throttling-by-your-internet-provider>

Major internet providers slowing traffic speeds for thousands across US

<http://www.theguardian.com/technology/2015/jun/22/major-internet-providers-slowing-traffic-speeds>

New Opportunities for Test Deployment and Continued Analysis of Interconnection Performance (Study – M Lab)

http://www.measurementlab.net/blog/interconnection_and_measurement_update

Comcast admits its 300GB data cap serves no technical purpose

<http://bgr.com/2015/08/16/comcast-data-caps-300-gb/>

Analysis:

- My contracted speed with Comcast is 150 mbps.
- That speed continuously degrades to 50-60 mbps in successive speed tests, so they are not providing the most basic service consistently.
- With respect to video streaming, the stream speeds are from .3-2.5 mbps maximum. (Significant and consistent buffering)
- Netflix speeds are consistently less than 1 mbps.
- YouTube speed are .5 or less with regular stream literally stopping, making You Tube virtually *unusable*.
- Film Download speeds are 1.1-5.0 (spike) requiring a 2 hour download time for a movie.

FCC Net Neutrality:

FCC Net Neutrality Rules stipulate that all data traffic on a network **MUST** be treated equally. Therefore, Comcast based on the real-time data is in direct **VIOLATION** of Net Neutrality Regulations and in **VIOLATION** of my service contract vis-a-vie Internet Speed Performance.

It must be noted that the issue which must be clarified is the difference between Internet Speeds as determined by Speed Tests, and the **Functional Internet Speed – defined as the speed measured during usage on a website!!!!

I am requesting the FCC open a case on my behalf to investigate Comcast for deliberate violation of FCC Net Neutrality Rules and **CONSUMER FRAUD**, by not providing service as contracted.

Respectfully,

(b) (6) [REDACTED]

(b) (6) [REDACTED]

Mike Hennigan

From: Ombudsperson
Sent: Monday, March 14, 2016 5:23 PM
To: (b) (6)
Subject: FW: My apologies

From: (b) (6)
Sent: Monday, March 14, 2016 10:47 AM
To: Ombudsperson
Subject: Re: My apologies

Yes I would love that...Do you happen to have a number for me? I believe I provided it to you in the complaint.

On Mon, 14 Mar 2016 09:42 Ombudsperson, <Ombudsperson@fcc.gov> wrote:

(b) (6)

Thank you for contacting the FCC's Open Internet Ombudsperson.

It appears as though you have filed a complaint with the FCC's Consumer Help Center on this concern – Ticket #842306 – and your provider responded to you on March 10, 2016. It also appears as though you have concerns about whether your provider's policies are permissible under our Open Internet rules.

If this is the case and you would like to discuss it further, we could arrange for a time for a phone call with you to discuss our rules and your concerns regarding this complaint.

If you would like to set up a time for a call, let us know.

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: (b) (6) [REDACTED]
Sent: Monday, March 14, 2016 9:35 AM
To: Ombudsperson <Ombudsperson@fcc.gov>
Subject: My apologies

I would like to ask you one question: how are consumers to get a fair deal out of this open internet thing, if you, as the FCC don't enforce the very rules you, as the FCC put out there'???

Mike Hennigan

From: Ombudsperson
Sent: Friday, March 04, 2016 3:33 PM
To: (b) (6)
Subject: FW: (b) (6) THROTTLE - UNTHROTTLE DATA STREAM COMPARISONS (#757854)

Fyi.

From: (b) (6)
Sent: Sunday, February 14, 2016 9:32 PM
To: Ombudsperson
Subject: Re: (b) (6) THROTTLE - UNTHROTTLE DATA STREAM COMPARISONS (#757854)

Mr. Jensen:

I neglected to attach a copy of the letter I sent to Ms. Pierre of Comcast Corporate Service regarding a follow up. Comcast LIED about my response. The text is as follows:

(b) (6)

(b) (6)

(b) (6)

(b) (6)

Jan. 27, 2016

Ms. Pierre:

I am writing this letter in regard to the on-going data throttling of my video streams and my subsequent FCC Complaint # 757854 (Comcast Ticket # NN-197769598). Throttling Internet data is in direct violation of FCC Open Internet Standards (2015). This conclusion is based on overwhelming evidence from FCC documents, independent laboratory testing, Court cases, and real time data on my system.

In an effort to bring the dialogue forward, I am providing you with a series of documents that will hopefully be the basis of our discussion. It is important to note that I have had *FOUR* Comcast service technicians certify that there are *NO* inherent technical issues with the incoming signal or with my updated Hardwired network infrastructure.

I have attached the following documents for your review:

FCC & Industry/Lab Results:

- FCC Open Internet Regulations (2015)
- Throttling Technology – Comcast

- Comcast Settled P2P Throttling Suit
- Comcast Throttling Netflix Article
- Netflix Pays Comcast for Video Bandwidth
- Major ISP'S Throttling Data Nationwide
- M-Lab Study – ISP Data Throttling
- ROKU Speed Requirements
- Netflix Transmission Speed by Provider
- Netflix Recommended Speeds
- Netflix Transmission Speed by Provider
-

Analysis:

The FCC Open Internet Rules are clear and unimpeachable. The attached documents identify those rules, the technical methodology Comcast utilizes to slow data speeds on the content supplier side, and how Comcast identify high data IP addresses for punitive data throttling.

The argument is as follows; Comcast illegally throttles content supplier data streams to extort massive additional fees (Netflix), the downstream effect on customers is to limit of the functional data stream (speed while using a site vs. network speed via speed tests) in violation of FCC Rules and contractual responsibility with users. Further, Comcast in violation of FCC Rules by identifying high data users by the amount of cumulative data through IP address, and then targets those IP address for slow internet speeds.

Throttling Data – (b) (6)

- My Comcast Serviced Agreement
- Comcast Data Use Oct. 2015
- Comcast Data Use Nov. 2015
- Comcast Data Use Dec. 2015
- Repetitive Speed Test Degradation
- Neubot Speed Test
- M-Lab Speed Test
- Netflix Download Speed Performance
- Streaming Performance with Speed Test at End
- You Tube Stream Performance
- Download Film – Speed Performance
- Streampix Data Rate (Comcast Paid Service)

The attached evidence is OVERWHELMING that Comcast is engaged in a massive violation of FCC Open Internet Rules, and of Massive Consumer Fraud. Any conversation going forward must address the empirical results and how Comcast will provide a remedy for not delivering my contracted internet speeds. The effect on my use of internet video includes being unable to stream video through my mobile devices, You Tube is functionally un-usable, throttled speed prohibit the high definition 1080p signal resulting in low definition video.

Contracted Speed: **150 mbps**
 Speed testes: Inconsistent: **48 mbps-170 mbps**
 Netflix Speed Performance: **1-2 mbps**

You Tube Speed Performance: **0 mbps-.5mbps**
Video Stream Performance: **0 mbps-1.5 mbps**
Download Speed Film: **1 mbps – 2.5 mbps**
Streampix Data Rate: **41 mbps (PAID Comcast Service)**

As of this writing I have not received your letter confirming NO service charges will be executed for the FIFTH Comcast service representative to confirm the integrity of my home network infrastructure. Assuming the next service call will certify my network, I await a substantive dialogue addressing the above empirical data and successful resolution of this matter.

Respectfully,

(b) (6) [REDACTED]

(b) (6) [REDACTED]

Cc: Mr. Jensen – FCC Ombudsman

-----Original Message-----

From: Ombudsperson <Ombudsperson@fcc.gov>

To: (b) (6) [REDACTED]

Sent: Sun, Feb 14, 2016 6:08 pm

Subject: RE: (b) (6) [REDACTED] THROTTLE - UNTHROTTLE DATA STREAM COMPARISONS (#757854)

(b) (6) [REDACTED]

Thank you for the additional information. On Friday your provider responded in writing to your complaint. The response is attached in case you have not received it or seen it yet.

I am out of the office next week, but I would like to talk with you about this further when I return. I will try to connect with you not next week, but the following week.

Best –
Michael

| FCC Open Internet Ombudsperson | ombudsperson@fcc.gov | (202) 418-1155 |

From: (b) (6) [REDACTED]

Sent: Thursday, February 04, 2016 11:34 AM

To: Ombudsperson <Ombudsperson@fcc.gov>

Subject: (b) (6) THROTTLE - UNTHROTTLE DATA STREAM COMPARISONS (#757854)

Mr. Jensen;

Thank you for your call Tuesday. Following up our conversation, I thought these comparison charts Throttle - Unthrottle would be helpful. As we discussed, it appears that the data threshold for Comcast is 100 gb/mo. My data use for Jan. 2016 was 98 gb. Earlier months exceed this threshold. Let me know if I can be of any further assistance.

I will wait to hear from you regarding the Comcast written response to my claim.

Best Wishes,

(b) (6)