

Adverse Actions Related to Verizon Consumer Unlimited Data Plan Accounts

The Verizon Wireless account that I administrate has experienced an adverse loss of its Unlimited Data Plan (UDP). This is part of a pattern of recent, related actions, that I am seeking Verizon to either resolve on my behalf, or escalate into a formal complaint if left unresolved for affected users.

Specifically, Verizon UDP plan holders have experienced losses of their UDP through three related scenarios that Verizon has recently modified enforcement and actions, on a large scale.

The three, related situations that have recently been transacted can be divided into three categories:

Category 1) Users of certain Verizon and non-Verizon devices have been told that they will be forced off of UDP for using a device other than a smartphone. This is both a violation of the C-Block CFR (47 CFR 27.16), and of Verizon's 2012 settlement with the FCC (DOC-315501A1). Verizon may have grounds to ask customers to stop using certain devices, but is not providing them with a proper opportunity to change devices - instead instructing them that they will be disconnected if they do not change plans. In sum, this complaint is both to Verizon prohibiting certain devices (in violation of 47 CFR 27.16) on Unlimited Data Plans.

Should the Commission find Verizon has grounds to prohibit specific devices from UDPs, this category of UDP terminations is also in violation as Verizon has failed to definitively offer customers a cure period upon choosing to ban a particular device from UDPs.

Additionally, even when customers have added the correct Home Internet feature codes (the \$30 MHS for UDP feature code) there is evidence that users of certain devices, are still being forced off of these plans, despite the feature code being approved in the 2012 Verizon-FCC settlement for this particular use case. Verizon is also not offering other users the opportunity to add this feature code, once they have activated a non-Verizon device.

Finally, Verizon does not have a public-facing document that informs customers as to which devices, if any, are prohibited from Unlimited Data Plans. This is unconscionable, as it puts customers at risk of disconnection - only after they have invested in purchasing a device, to later be notified that it is prohibited.

Category 2) Some customers have used supported tools to extend their contracts, without a device upgrade on the particular line of service. This was consistent with Verizon's stated policy that you could keep UDP, provided you do not upgrade devices on the line of service. Despite this, if UDP is removed erroneously, the Inactive Plan Request (IPR) review team at Verizon is now unwilling to restore UDP.

This is contrary to Verizon's previously public policy that customers who are allowed to

keep UDP - even if in error or change in policy - will be allowed to retain it through the end of the contract period.

Category 3) Verizon has been removing UDP from some account holders who use in excess of 100GB of data on their accounts. Verizon is refusing to provide clear guidelines on what they consider abusive. This 47 CFR 27.16 violation is compounded by Verizon refusing to provide an officially-stated "cap" on their Unlimited data plans, while clearly threatening that customers who use data that, in their words, "well in excess of 100GB" will result in termination. If the plan is Unlimited, at a minimum, Verizon must define what they consider to be abusive on a regular basis - and what the boundaries are for such a plan. Verizon also should similarly offer a cure period for users who may have a smartphone or computer virus, or other reasonable condition, that consumes potentially-abusive terabytes worth of data.

UDP losses in Categories 1 & 3 above are violations of 47 CFR 27.16, whereas Category 2 scenarios above are a textbook example of cramming; Verizon is removing people's UDP from their account, and placing them onto a different plan than what they selected, without authorization or an opportunity to reverse the contract extension.

As all of the above matters began impacting account holders around the same period of time, and all impact Unlimited Data Plan accounts, Verizon is engaging in a new pattern of behavior to these unlimited plans. I request that the Commission investigate Verizon's recent adverse actions to thousands of these account holders.

A clear resolution to all impacted UDP accounts would include the following steps:

1) Establishing a support article (web page) providing clear guidelines for UDP plan holders, clearly stating what they can - and cannot - do with their unlimited data plans. This includes maximum data usage, what is abusive, and what types of device upgrades (Device Payment Plan, Upgrade Transfer, etc) can be done - without compromising UDP on the account.

2) Providing a formal review period for Verizon to restore UDPs that have been taken off of accounts inappropriately. Verizon's Inactive Plan Request (IPR) team should review affected accounts de novo, and restore UDP where appropriate without lengthy disputes. This is consistent with the steps Verizon agreed to take in their 2012 settlement with the FCC.

3) In the event of Verizon changing its enforcement or definitions of allowed devices, provide customers with a cure period - a reasonable period of time to adjust and change devices or usage patterns - without the threat of disconnection or forced plan changes.

Additional information about my specific situation has been added in a redacted copy of the formal complaint that I have jointly filed with Verizon, consistent with their terms and conditions. (Exhibit A)

I am seeking restoration of my Unlimited Data Plan on the line of service impacted, plus

a reasonable credit to my account for the lost service. If escalated to a formal complaint, I am seeking the Commission's investigation, review, and action on all of the concerns above.