



NEW YORK STATE SENATOR

Jen Metzger

Senator Metzger Calls on FCC to Reject Petition by Charter (Spectrum) to Impose Data Caps and Charge Customers Based on Usage

JEN METZGER September 9, 2020

| ISSUE: **RURAL BROADBAND SERVICE, SPECTRUM, COMPREHENSIVE BROADBAND CONNECTIVITY ACT**



Hudson Valley and Catskills, NY... Senator Jen Metzger (SD-42) has called on the Federal Communications Commission (FCC) to reject a request made by Charter Communications, Inc., known by the trade name, Spectrum, for permission to sunset conditions of its merger agreement that limit charges to customers for internet service. Senator Metzger, who serves

on the State Senate's Energy and Telecommunications Committee, sent a letter to FCC Chairman Ajit Pai urging the Commission to reject Charter's request to impose data caps and charges based on usage.

"It is outrageous to me that Spectrum is looking to back out of conditions of its merger agreement and have free rein to charge internet customers for data based on usage, especially in the middle of a pandemic, when people across my district and the country are struggling financially and are more dependent than ever on the internet for school, work, and healthcare," **said Senator Metzger**. "Is there no low to which the company will not stoop?"

"For much of my Senate District and large portions of the state of New York, Spectrum has an effective monopoly over the market for internet service, and customers have no other choice if unhappy with the company's service. The lack of competition is an enormous problem, and customers need protections from abuse of this monopoly power."

Metzger has introduced two bills in the State Senate to address broadband problems in New York, one of which ([S7988](#)) requires the Public Service Commission (PSC) to establish service quality standards for internet companies, and will set a baseline for providing safe, reliable, and affordable internet service for all New Yorkers. The penalties provided for in this legislation, similar to those applicable to utility companies, will keep internet service providers accountable for their actions and promises to customers. Metzger's second bill [S8805](#), which passed both houses in July, directs the PSC to map internet access, speeds, and cost statewide and prioritize access for communities that have experienced negative economic and social impacts due to absent or insufficient service.

Charter-Spectrum was fined \$174 million in 2018 for its false reporting on, and advertising of, the speeds and quality of the internet service the company provided to New Yorkers. In 2019, Charter was further required to pay \$12 million for violating the conditions of the merger

agreement with Time Warner Cable Inc. that was approved by the New York State Public Service Commission. Most recently, when the FCC proposed Phase 1 of the Rural Digital Opportunity Fund (RDOF), Charter petitioned to prevent grants to internet service providers for buildout in areas of the state where Charter had committed to deploy service but had not done so. The competitive landscape for internet service in New York has not changed since 2016, and Charter is doing its best to keep it that way. The full document is available [here](#).

Jen Metzger represents the 42nd Senate District, which includes all of Sullivan County and parts of Delaware, Orange, and Ulster Counties. Senator Metzger serves as Chair of the Agriculture Committee and sits on the Environmental Conservation, Education, Health, Energy and Telecommunications, Local Government, Women's Issues, Domestic Animal Welfare, and Legislative Commission on Rural Resources Committees.

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RELATED LEGISLATION

2019-S7988

- Introduced

- - In Committee Assembly
 - In Committee Senate

- - On Floor Calendar Assembly
 - On Floor Calendar Senate

- ◦ Passed Assembly
 - Passed Senate
- Delivered to Governor
- Signed By Governor
-

Relates to quality standards for internet service providers

March 06, 2020

In Senate Committee [Energy and Telecommunications](#)

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Do you support this bill?

2019-S8805

- Introduced
- ◦ In Committee Assembly
 - In Committee Senate
- ◦ On Floor Calendar Assembly
 - On Floor Calendar Senate

- ○ Passed Assembly
 - Passed Senate
- Vetoed By Governor
- Signed By Governor
-

Relates to the public service commission reviewing broadband and fiber optic services within the state

July 17, 2020

Senate Floor Calendar

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Do you support this bill?