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February 11, 2021

John Sutich, Director, State Government Relations
Comcast
43 Comcast Way
South Burlington, VT 05403

Dear John:

I write regarding the recent announcement of Comcast's imposition of data cap fees on consumers during a time of national health emergency. Access to internet and streaming services is more essential now than ever, as a result of the COVID-19 pandemic. Reliance on high-speed broadband connectivity for American consumers is essential to employment, educational, and recreational activities in a safe, secure setting – primarily from home.

While we are pleased to learn of Comcast's recent decision to delay implementing its proposed data cap plans (and imposition of overage fees) for the Northeast Division states until at least July 2021, I request Comcast, at a minimum, delay implementation until the expiration of Vermont's Emergency Order, plus 30 days (to ensure adequate notice to consumers).¹

I am concerned that Vermonters will be charged more when we are living in a declared state of emergency and working, educating, and taking care of our families from home. Vermonters are being asked to stay home for their health and safety – to protect themselves and their neighbors. We rely on remote access, streaming services, and the like for all of our employment, educational, and recreational needs during this difficult time. Furthermore, Comcast is often the only available provider for Vermonters who need high-speed internet service at their homes. The timing of this proposal is indisputably problematic for consumers at a time when health and safety reasons dictate they have little or no choice but to rely on remote access services. As a result, when these plans were announced to the public, Comcast customers began contacting my office with complaints.

¹ Meaning Comcast's proposed July delay date, a reasonable extension of that delay, or expiration of the Vermont Executive Order (plus 30 days), whichever is later.

Consumers say they have been frustrated to learn that their internet services will be subject to new fees and restrictions, even for those consumers who had signed up for service with a long-term contract. This has been particularly unwelcome news for consumers to receive during the ongoing pandemic, when consumers are experiencing financial insecurity and remote work and schooling requirements must be met.

We are hopeful that aspects of our concerns that are tied to the pandemic may be alleviated by summer or fall of this year. However, the only thing certain about this pandemic is that nothing is certain. Since the pandemic has not yet subsided and because emergency conditions persist, I am requesting that Comcast delay any proposed implementation of its data cap plans until emergency conditions subside, specifically until Governor Scott's executive order, Executive Order 01-20, is withdrawn.

As always, I appreciate your time and consideration. I welcome further discussion surrounding the proposed policies and their effects on consumers.

Sincerely,

A handwritten signature in black ink, appearing to read 'TJD', with a stylized flourish extending from the bottom right.

Thomas J. Donovan, Jr.
Vermont Attorney General

Cc: The Honorable Richard Sears