



Montgomery County Council

For Immediate Release

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COUNCIL APPROVES CONSUMER PROTECTIONS FOR CABLE MODEM CUSTOMERS

The County Council today approved the nation's first-ever set of consumer protections designed to provide customer service standards for the 100,000-plus cable modem customers in the County.

"These standards will protect cable modem customers by requiring companies to address problems in a timely fashion – or face penalties," said Councilmember Marilyn Praisner, a leader in the effort to hold County cable companies accountable for poor customer service. "We deliberately focused on customer service, not on regulating the changing technology. The standards are modest and reasonable."

"Cable modem customers aren't organized," added Councilmember Phil Andrews, who noted the 40-foot long list of Comcast cable modem complaints over the past several years. "They depend on us to stand up for them. The last-minute attempt by Comcast to weaken the measure, and put their interests before those of County cable modem customers, failed. Now we can give cable modem customers-- many of whom depend on cable modem service to telework or work from home -- some assurances that they'll get what they pay for."

"The Council heard directly from small business people and start-up companies who desperately need reliable cable modem service," said Councilmember Howard Denis. "I appreciate the County Executive working together with us to craft this needed pro-consumer measure."

The consumer protections include the following:

1. Quarterly Service Measurements

Measured quarterly, the cable operator must meet the following standards 75 percent of the time:

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- Telephone answering time shall not exceed 30 seconds, and the time to transfer the call to a customer service representative (including hold time) shall not exceed an additional 30 seconds; and
- A customer will receive a busy signal less than 3 percent of the time.
- When the business office is closed, an answering machine or service capable of receiving and recording service complaints and inquires must be used.

Measured quarterly, the cable operator must meet the following standards 95 percent of the time:

- Installations located up to 400 feet from the nearest Public Right-of-Way shall be completed within 7 days after the order is placed or at a later time if requested by the subscriber.
- Repairs and maintenance for service interruptions and other repairs not requiring work within a subscriber's premises must be completed within 36 hours of the time the subscriber reports the problem to the cable operator, the need for repairs otherwise becomes known to the cable operator. At the request of the subscriber commencement of the 36 hour deadline may be extended.
- Work on all other request for service shall be scheduled for the next available appointment, or at a later time mutually agreeable to the cable operator and the subscriber. The cable operator shall exercise its best efforts to complete such work within 3 days from the initial request.

2. Notice to Subscribers

The cable operator shall provide the following materials to each subscriber at the time cable modem service is installed, at least annually thereafter, and at any time upon request:

- Written description of products and services offered, including a schedule of rates and charges and technical specifications of the cable modem service, including data speed;
- Written description of the cable operator's installation and service maintenance policies, delinquent subscriber disconnect and reconnect procedures, and any other of its policies applicable to its subscribers;
- Written instructions on how to use the cable modem service, placing a service

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- call, billing and complaint procedures, and the contact information for the County office responsible for cable complaints; and
- Copy of service contract notice regarding subscribers' privacy rights and notice that subscribers are not obligated to purchase a modem supplied by a cable operator to receive cable modem service.

3. Rebate Policy

If the service interruption is not repaired at the time of the scheduled appointment, the subscriber will receive a pro-rated credit for each 24 hour period, or segment thereof, that the service interruption continues beyond the repair call.

The Executive Regulation was approved on a 6 to 3 vote. Councilmembers Praisner, Andrews, Denis, Tom Perez, George Leventhal, and Steve Silverman voted in favor of the measure. Councilmembers Michael Subin, Michael Knapp, and Nancy Floreen were opposed.

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