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Via Electronic Submission

February 13, 2015

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Portals II, Room TW-A325
Washington, DC 20554

Ex Parte Submission

RE: Preserving the Open Internet, GN Docket No. 09-191; Broadband Industry Practices, WC Docket No. 07-52; A National Broadband Plan for Our Future, GN Docket No. 09-51; Protecting and Promoting the Open Internet, GN Docket No. 14-28

Dear Ms. Dortch:

AT&T Services, Inc. hereby submits the attached on behalf its affiliate, AT&T Mobility LLC. The attached presentation describes AT&T's efforts since July 2011 to ensure complete transparency in the rollout and implementation of its Maximum Bit Rate (MBR) Program.

Thank you for your assistance on this matter. Please call me if you have questions.

Sincerely,

Jacquelyne Flemming

AT&T
Maximum Bit Rate Program

The Maximum Bit Rate Rollout Policy

- In July 2011 – over 30 months ago -- AT&T announced in a widely distributed press release that it would begin reducing data speeds on a small minority of unlimited plan smartphone customers who impair the quality of service for the vast majority of our customers
- AT&T informed unlimited plan customers how to avoid any speed reductions, such as by using Wi-Fi
- AT&T's Press Release gained widespread media coverage, resulting in over 2000 news articles/blogs

July 2011 Press Release

An Update for Our Smartphone Customers With Unlimited Data Plans

Dallas, Texas, July 29,

Like other wireless co
data. Many experts a
We're responding on
year and working to a
more immediate measures to help address network congestion.

Starting October 1, smartphone customers with unlimited data plans may experience reduced speeds once their usage in a billing cycle reaches the level that puts them among the top 5 percent of heaviest data users.

One new measure is a step that may reduce the data throughput speed experienced by a very small minority of smartphone customers who are on unlimited plans - those whose extraordinary level of data usage puts them in the top 5 percent of our heaviest data users in a billing period. In fact, these customers on average use 12 times more data than the average of all other smartphone data customers. This step will not apply to our 15 million smartphone customers on a tiered data plan or the vast majority of smartphone customers who still have unlimited data plans.

Starting October 1, smartphone customers with unlimited data plans may experience reduced speeds once their usage in a billing cycle reaches the level that puts them among the top 5 percent of heaviest data users. These customers can still use unlimited data and their speeds will be restored with the start of the next billing cycle. Before you are affected, we will provide multiple notices, including a grace period.

This change will never impact the vast majority of our customers, and is designed to create a better service experience for all.

The amount of data usage of our top 5 percent of heaviest users varies from month to month, based on the usage of others and the ever-increasing demand for mobile

Widespread Media Coverage

AT&T Says It Will Throttle Heavy Data Users

by Roger Cheng @RogerWCheng / July 29, 2011 1:25 PM PDT

c|net

AT&T to Throttle Mobile Users With 'Extraordinary' Data Use

By Chloe Albanesius
ARTICLE DATE : July 29, 2011

PC PCMAG.COM

AT&T Begins Sending Throttling Warnings to Top Data Hogs

By Christina Bonnington , WIRED
updated 7:48 AM EDT, Mon October 3, 2011

CNN

AT&T Ends All-You-Can-Eat

By GREG BENSINGER

Updated March 1, 2012 10:54 p.m. ET

THE WALL STREET JOURNAL.

Q&A: How to Avoid Getting Throttled

By Greg Bensinger and Willa Plank

Digits Tech News & Analysis From the WSJ

3:06 pm ET
Mar 1, 2012

AT&T Standardizes Data Throttling Practices

NEW YORK | Thu Mar 1, 2012 6:35pm EST

REUTERS

Transparency Was AT&T's Guiding Principle

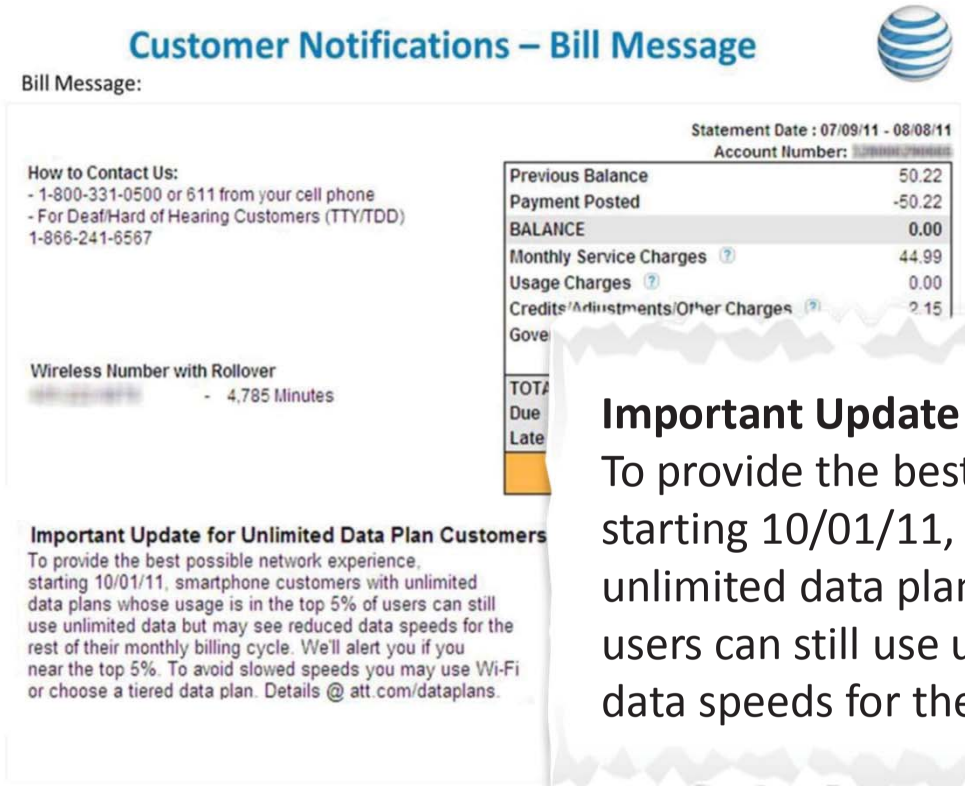
- *AT&T Begins Sending Throttling Warnings to Top Data Hogs,*
- Christina Bonnington (emphasis added) (10/3/11)

"Although it's a pain to those affected, ***AT&T is being transparent about the issue***, giving subscribers a chance to minimize their usage before getting their data speeds choked. Verizon began throttling users who consume a large amount of data, but didn't initially reveal the policy to the public, describe how it would be implemented or describe if and how users would be notified."

AT&T's Customers Received Additional Clear Disclosures

- Bill Statement Notification
- Text Message before impact
- Detailed Web-based Information including functionality at reduced speeds
- Wireless Customer Agreement

Page One Bill Notification
July or August 2011 Bill



Customer Notifications – Bill Message

Bill Message:

Statement Date : 07/09/11 - 08/08/11
Account Number:

How to Contact Us:
- 1-800-331-0500 or 611 from your cell phone
- For Deaf/Hard of Hearing Customers (TTY/TDD) 1-866-241-6567

Previous Balance	50.22
Payment Posted	-50.22
BALANCE	0.00
Monthly Service Charges	44.99
Usage Charges	0.00
Credits/Adjustments/Other Charges	2.15
Gove	
TOTA	
Due	
Late	

Wireless Number with Rollover
- 4,785 Minutes

Important Update for Unlimited Data Plan Customers
To provide the best possible network experience, starting 10/01/11, smartphone customers with unlimited data plans whose usage is in the top 5% of users can still use unlimited data but may see reduced data speeds for the rest of their monthly billing cycle. We'll alert you if you near the top 5%. To avoid slowed speeds you may use Wi-Fi or choose a tiered data plan. Details @ att.com/dataplans.

Important Update for Unlimited Data Plan Customers
To provide the best possible network experience, starting 10/01/11, smartphone customers with unlimited data plans whose usage is in the top 5% of users can still use unlimited data but may see reduced data speeds for the rest of their billing cycle.

Text Messages Before Impact

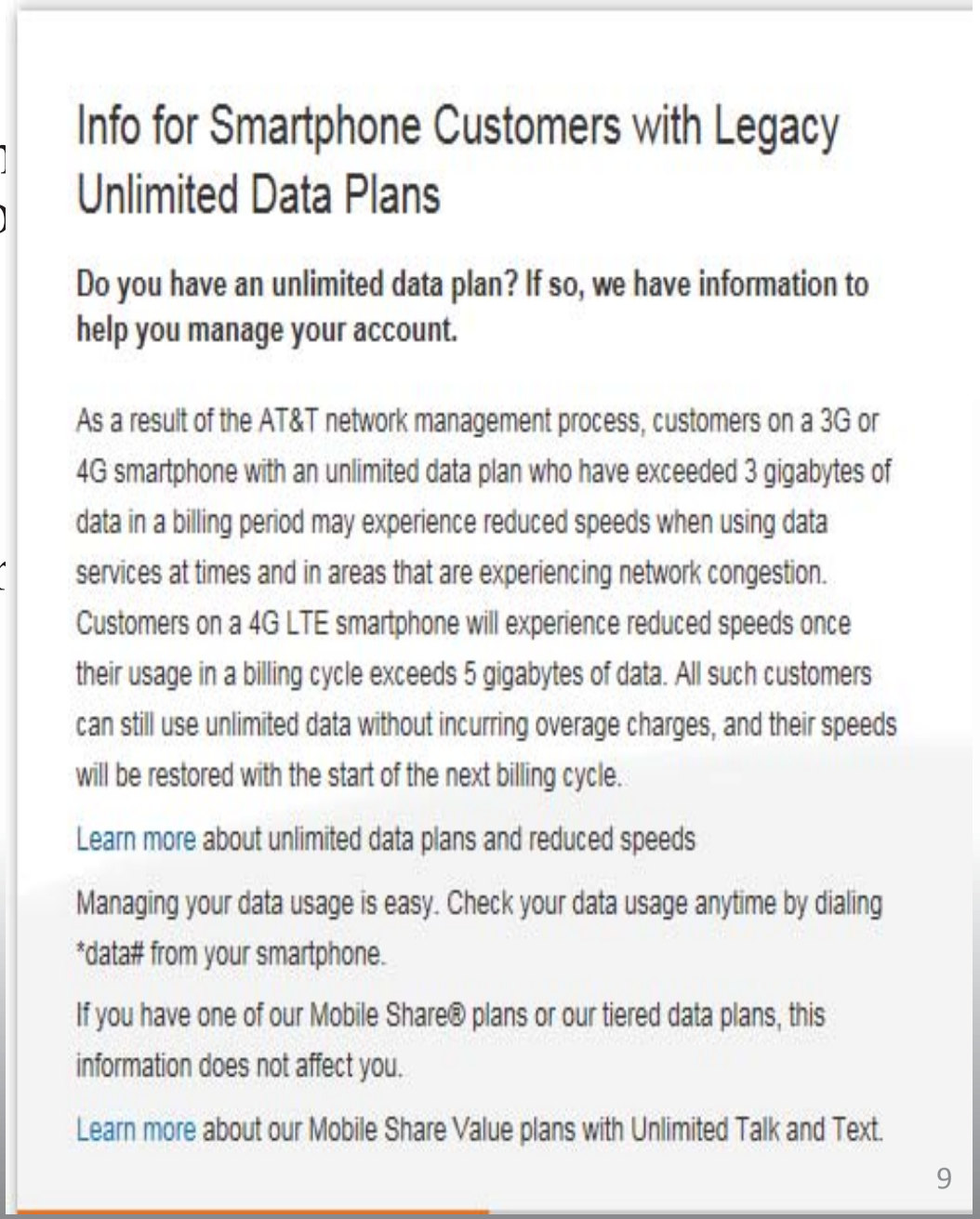
Your data usage on your 4G LTE smartphone is near 5GB this month. Exceeding 5GB during this or future billing cycles will result in reduced data speeds, though you'll still be able to email & surf the Web. Wi-Fi helps you avoid reduced speeds. Visit www.att.com/datainfo or call 866-344-7584 for more info.

The website referenced in the text message, includes a calculator to help Unlimited Data Plan customers estimate their own data usage

Website Disclosure

- In late February/early March 2012, AT&T established two uniform nationwide MBR thresholds (3 gibabytes for the UMTS network and 5 gigabytes for the LTE network) to make the MBR policy simpler and easier for customers to understand.

- These new thresholds were announced on AT&T's website at http://www.att.com/datainfo



Info for Smartphone Customers with Legacy Unlimited Data Plans

Do you have an unlimited data plan? If so, we have information to help you manage your account.

As a result of the AT&T network management process, customers on a 3G or 4G smartphone with an unlimited data plan who have exceeded 3 gigabytes of data in a billing period may experience reduced speeds when using data services at times and in areas that are experiencing network congestion. Customers on a 4G LTE smartphone will experience reduced speeds once their usage in a billing cycle exceeds 5 gigabytes of data. All such customers can still use unlimited data without incurring overage charges, and their speeds will be restored with the start of the next billing cycle.

Learn more about unlimited data plans and reduced speeds

Managing your data usage is easy. Check your data usage anytime by dialing *data# from your smartphone.

If you have one of our Mobile Share® plans or our tiered data plans, this information does not affect you.

Learn more about our Mobile Share Value plans with Unlimited Talk and Text.

Additional Web-Based Customer Support

About reduced data speeds

Reducing data speed (data throughput) and network management are common practices in the wireless industry. How we are managing the network only affects a small minority of the heaviest smartphone data users still on unlimited data plans - more than 97 percent of our smartphone customers are not impacted by this.

You can still use an unlimited amount of data each month without incurring overage charges

That won't change. Customers with a 3G or 4G smartphone who have an unlimited data plan may see speeds reduced as a result of AT&T network management practices if they exceed 3GB of data in a billing cycle. For customers with a **4G LTE**[1] smartphone who have an unlimited data plan, speeds will be reduced if usage exceeds 5GB in a billing cycle. **Even with reduced speed, customers normally can still have a good experience surfing the Web, accessing email, and continuing to use an unlimited amount of data each month without incurring overage charges. Customers will likely notice the biggest difference while streaming video.** Streaming video consumes the most data of all possible activities and is often the reason customers are treated.

Using Wi-Fi does not create wireless network congestion or count toward wireless data usage and can reduce the likelihood that customers will be impacted again. Smartphone customers have unlimited access to our entire Wi-Fi network - with nearly 34,000 hotspots nationwide - at no additional cost.

Advanced notification that your speeds may be slowed down

You'll receive a text message from us before experiencing any change in speed for the first time. The text message will be sent the first time you reach 95 percent of (1) 3GB on 3G or 4G so you're aware that network management practices may result in slower data speeds, or (2) 5GB on **4G LTE**[1] so you're aware throughput speed reduction will result in slower speeds. The next time you exceed those levels, your speeds will be reduced without another text reminder. Speeds will return to normal at the start of the next billing cycle.

You receive a text message about reduced speeds

If you have a 3G or 4G smartphone and exceed 3GB of data in that or any future billing cycles, your speed may be reduced due to network management. If you have a **4G LTE**[1] smartphone, your speed will be reduced once you exceed 5GB or data usage. If your data speed is affected by one of these policies, your speed will only be reduced for the rest of the current billing cycle and then go back to normal.

http://www.att.com/esupport/article.jsp?sid=KB410284&cv=820

Email Notification

High Data Usage Alert

Dear _____,

Like other wireless companies, AT&T is taking steps to manage exploding demand for mobile data. We're responding on many levels, including investing billions in our wireless network this year and working to acquire more network capacity.

As mentioned on a previous bill, we're also taking additional, more immediate steps to help address network congestion and improve reliability. One of these steps involves a change for some customers who use extraordinarily large amounts of data in a single billing period - about 12 times more data than the average smartphone user.

For the current billing cycle, your data usage indicates you could be affected by this change. Here's how it works:

Smartphone customers with unlimited data plans may experience reduced speeds once their usage in a billing cycle reaches the level that puts them among the top 5 percent of heaviest data users. These customers can still use unlimited data and their speeds will be restored with the start of the next billing cycle.

We're writing because you are in the top 5 percent of heaviest data users for this billing cycle. Because we recognize that data usage can change from month to month, you will not see reduced speeds this billing cycle.

Beginning with your next billing cycle, we'll send you a text message if you are approaching the top 5 percent of heaviest data users. We'll also send you a second text message if you cross into the top 5 percent of heaviest users, at which point you may see reduced speeds for the rest of the month.

Customers have several ways to manage extremely high data usage.

Wi-Fi offers great speeds and doesn't add to your wireless data usage. Consider using Wi-Fi when possible for applications that use the highest amounts of data, such as streaming video apps, remote web camera apps, large data-file transfers (like video) and some online gaming.

You may also consider switching to a tiered data plan if speed is more important to you than having an unlimited data plan. Customers on tiered plans can pay for more data if they need it, and will not see reduced speeds.

To estimate how much data different activities use, and find out more about Wi-Fi or tiered data plans, visit https://www.att.com/dataplans or call Customer Care at 866-344-7584.

Online Info

Visit our Special Offers to check out our best promotions.
Learn more

Questions?

Questions or comments? Do not reply to this email, as it is automatically generated. Please contact us or Ask a Question using our online self-help tool.

PLEASE DO NOT REPLY TO THIS MESSAGE

All replies are automatically deleted. For questions regarding this message, refer to the contact information listed above.

Beginning in September 2011, prior to the implementation of the program, AT&T sent individual "grace month" emails to the heaviest Unlimited Data Plan users in ten pilot markets (but did *not* reduce anyone's data speeds).

Wireless Customer Agreement

You agree not to use AT&T's wireless data services for any of these prohibited acti

AT&T's Rights to Ensure Compliance. You agree that AT&T has the right to take Section 6.2 if you use AT&T's wireless data services in any manner that is prohibite actions:

- AT&T may modify, without advance notice, the permitted and prohibited activi wireless data services;
- AT&T may engage in any reasonable network management practice to enhan congestion, to adapt to advances and changes in technology, and/or to respo spectrum;
- AT&T may reduce your data throughput speeds at any time or place if your da usage threshold during any billing cycle. AT&T will provide you with advance notice of the usage threshold applicable to your data plan, or any changes to the applicable usage threshold either by a bill *insert, email, text message or other appropriate* means;
- AT&T may use reasonable methods to monitor and collect customer usage in network. Details concerning the information that AT&T collects about its custo information are addressed in the AT&T Privacy Policy (see att.com/privacy);
- If you are an AT&T unlimited data plan customer, AT&T may migrate you fron and bill you the appropriate monthly fees. We will provide you with notice of th either by a bill insert, email, text message, or other appropriate means;
- AT&T may interrupt, suspend, cancel or terminate your wireless data services

Unlimited Data Customers. If you are a grandfathered AT&T unlimited plan data s means you pay a fixed monthly charge for wireless data service regardless of how "unlimited" does not mean that you can use AT&T's wireless data service in any wa and that if you use your unlimited data plan in any manner that is prohibited, AT&T service or switch you to a tiered data plan.

AT&T may reduce your data throughput speeds at any time or place if your data usage exceeds an applicable, identified usage threshold during any billing cycle.

"[U]nlimited" means you pay a fixed monthly charge for wireless data service regardless of how much data you use. . . . "[U]nlimited" does <u>not</u> mean that you can use AT&T's wireless data service in any way that you choose or for any prohibited activities."

http://www.att.com/legal/terms.wirelessCustomerAgreement.html

The FCC Has Repeatedly Endorsed the Use of Managed Bit Rate Programs

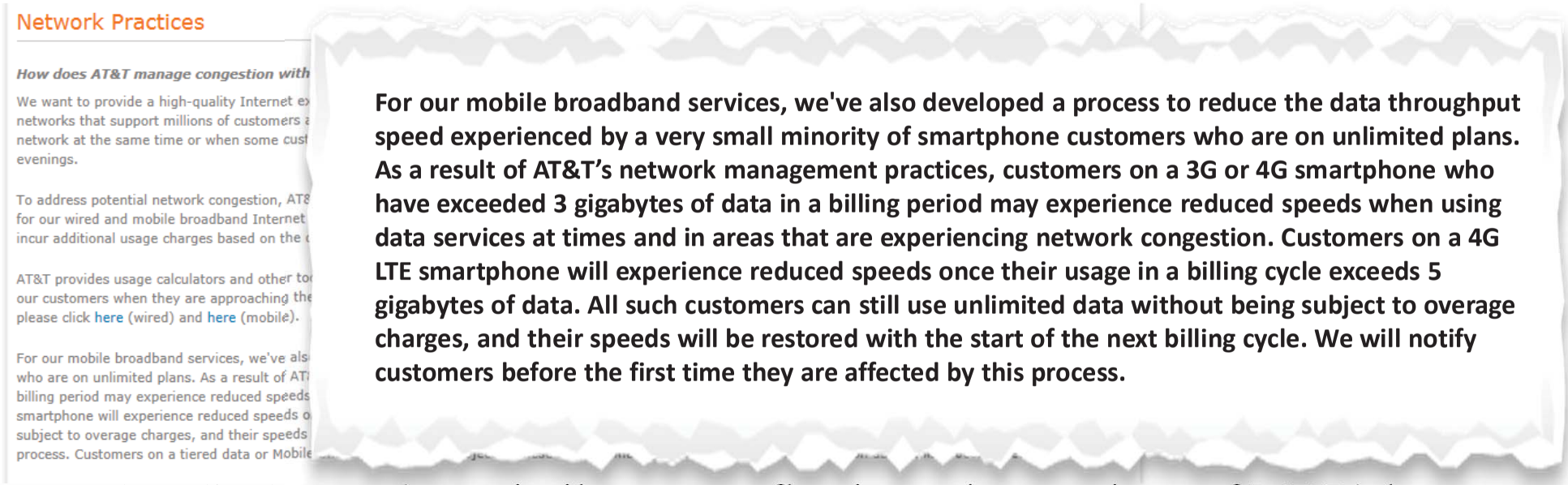
- The Commission has explicitly approved the network management policy of providing "**more bandwidth to subscribers that have used the network less over some preceding period of time than to heavier users**" to reduce congestion. Open Internet Order ¶ 73.
- FCC approves speed reduction policies as an "innovation" because they "allow subscribers to continue sending and receiving data after reaching monthly data cap without incurring expensive overage fees" and instead authorizes carriers to implement "reduced data speeds." FCC Staff Report re: AT&T/T-Mobile Transaction (Nov. 2011) ¶ 24 and n. 66.
- "Comcast has several available options it could use to manage network traffic without discriminating as it does. . . . **Comcast could throttle back the connection speeds of high capacity users (rather than any user who relies on peer-to-peer technology, no matter how infrequently**)." Comcast-Bit Torrent Order ¶ 49.

FCC Transparency Rules - November 2011

- AT&T can satisfy the rule through a "single disclosure" on a "publicly available, easily accessible website" and at the "point of sale." Open Internet Order ¶¶ 57, 59.
- AT&T complied by posting its disclosure at www.att.com/broadbandinfo and providing a link to that disclosure at the point of sale
- The disclosure clearly identifies that AT&T may slow speeds once an unlimited plan customer has used a set amount of data
- Disclosure has been on the website since 2011
- FCC has expressed no concerns about the disclosure in more than 3 years

AT&T's Web Disclosure is Consistent with the Commission's Rule

- AT&T's required web disclosure (att.com/broadbandinfo) clearly identifies that AT&T may slow speeds once an unlimited plan customer has used a set amount of data:



- That disclosure (or a similar one, reflecting prior versions of MBR) has been on the website since 2011, and the Commission expressed no concern as to its adequacy for more than three years.

AT&T Disclosure

AT&T's Customer Support Page clearly identifies the program's effect on real-time applications

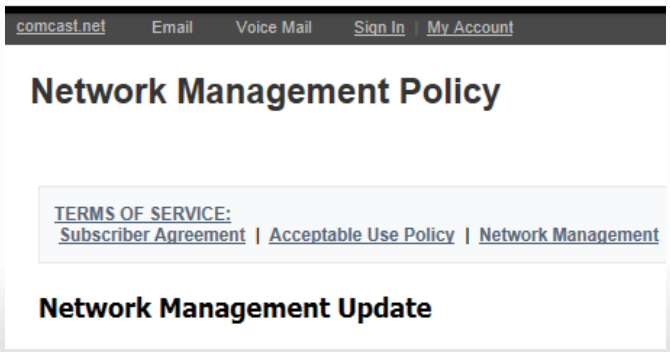
You can still use an unlimited amount of data each month without incurring overage charges

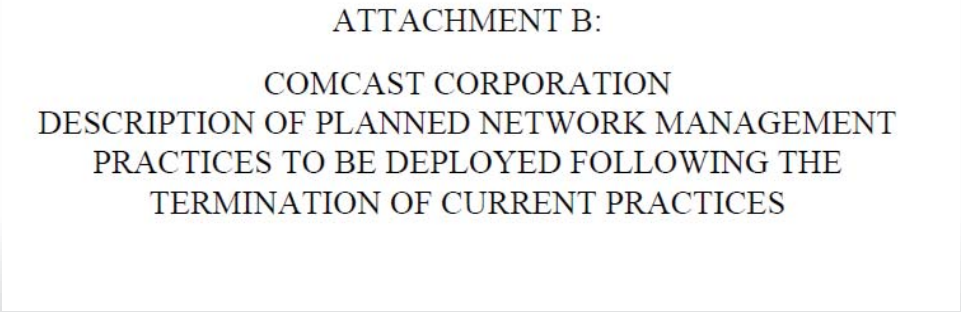
That won't change. Customers with a 3G or 4G smartphone who have an unlimited data plan may see speeds reduced as a result of AT&T network management practices if they exceed 3GB of data in a billing cycle. For customers with a **4G LTE**[1] smartphone who have an unlimited data plan, speeds will be reduced if usage exceeds 5GB in a billing cycle. Even with reduced speed. Customers normally can still have a good experience surfing the Web, accessing email, and continuing to use an unlimited amount of data each month without incurring overage charges. Customers will likely notice the biggest difference while streaming video. Streaming video consumes the most data of all possible activities and is often the reason customers are treated.

http://www.att.com/esupport/article.jsp?sid=KB410284&cv=820

The Commission Has Approved Disclosures That Do Not Disclose Specific Speeds

- **"We note that the description of congestion management practices provided by Comcast in the wake of the Comcast-BitTorrent incident likely satisfies the transparency rule with respect to congestion management practices."** ***Open Internet Order*****, ¶ 56 n.177.**
- That footnote cited two sources:
  - Comcast's *Network Management Update*, https://web.archive.org/web/20081226223300/http://www.comcast.net/terms/network/update/ ("Network Management Update")
  - Comcast's *Description of Planned Network Management Practices to be Deployed Following the Termination of Current Practices* ("Attachment B").




ATTACHMENT B:

COMCAST CORPORATION
DESCRIPTION OF PLANNED NETWORK MANAGEMENT PRACTICES TO BE DEPLOYED FOLLOWING THE TERMINATION OF CURRENT PRACTICES

- Neither disclosed specific speeds.
- In fact, Comcast's description of the customer experience is substantially similar to AT&T's, as shown on the next slide →

Comparable Language: Comcast & AT&T

"Customers will still be able to do anything they want to online, and many activities will be unaffected, but managed customers could experience things like: longer times to download or upload files, surfing the Web may seem somewhat slower, or playing games online may seem somewhat sluggish."
Network Management Update

"Typically, a user whose traffic is in a [managed] state during actual congestion may find that a webpage loads sluggishly, a peer-to-peer upload takes somewhat longer to complete, or a VoIP call sounds choppy."
Attachment B, at 13

"Even with reduced speed[,] [c]ustomers normally can still have a good experience surfing the Web, accessing email, and continuing to use an unlimited amount of data each month without incurring overage charges. Customers will likely notice the biggest difference while streaming video. Streaming video consumes the most data of all possible activities and is often the reason customers are treated."
AT&T Wireless Support:
http://www.att.com/esupport/article.jsp?sid=KB410284&cv=820

Verizon Has a Similar Transparency Rule Disclosure: Specific Speeds are Not Disclosed

Network Optimization Practices for Customers wi
Devices on Unlimited Data Plans
[General Information]

You rely on our high quality wireless communicati
service and we strive to continually provide it for y

Ensuring Reliability. With tens of millions of customers, it s our responsibility to upgrade and
network, services and practices, so you can continue to trust the network. With this in mind,
implemented Network Optimization practices that will affect a very small percentage of custo

Optimizing Our Network. Our Network Optimization practices for customers with 3G dev
data plans ensure that you can count on the reliable network you expect. To optimize our net
manage data connection speeds for a small subset of customers those who are in the top 5%
and have 3G devices on unlimited data plans and only in places and at times when the netwo
experiencing high demand. This ensures that all customers have the best data experience po

95% of
unlimite
demand
possible
traffic in

To optimize our network, we manage data connection speeds for a small subset of customers those who are in the top 5% of data users and have 3G devices on unlimited data plans and only in places and at times when the network is experiencing high demand. This ensures that all customers have the best data experience possible.

95% of our data customers are not impacted. Those who are in the top 5% who have 3G devices on unlimited data plans may experience managed data speeds when connected to a cell site experiencing high demand after reaching certain data-usage levels in a bill cycle. These high data users will feel the smallest possible impact and only experience reduced data speeds when necessary for us to optimize data network traffic in that area.

Is this the same as throttling?
No, this is not throttling.

How is this different than throttling?
The difference between our Network Optimization practices and throttling is network intelligence. With throttling, your wireless data speed is reduced for your entire cycle, 100% of the time, no matter where you are. Network Optimization is based on the theory that all customers should have the best network possible, and if you re not causing congestion for others, even if you are using a high amount of data, your connection speed should be as good as possible. So, if you re in the top 5% of data users and have a 3G device on an unlimited data plan, your speed is reduced only when you are connected to a cell site experiencing high demand. Once you are no longer connected to a site experiencing high demand, your speed will return to normal. This could mean a matter of seconds or hours, depending on your location and time of day.

How slow should I expect my phone to function?
Because this process is in place to ensure the best service to our customers, the speed will vary at any given time. It will depend on how many users are on the same site at that time and what data applications are being used on that site at that time.

er of customers through network management practices. To achieve this
affic of Verizon Wireless subscribers with 3G devices on unlimited data
a users, using a disproportionate amount of network resources. IUBE
sers during times of actual high demand at a particular cell sector. IUBE
ntification, consideration or discrimination of any particular end-user

ll available network resources are allocated to connected users. The
om all users until the high demand event subsides. High demand is a
r a very short time (measured in seconds or fractions of seconds).

aced into various user categories; each assigned a priority for resource
d IUBE with two categories. The two inter-user priority categories are
ry 1. Category 0 shall be for those customers with 3G devices who
o are in the top 5% high usage customers and are set to receive a
users in class 1 during periods of high demand within a cell site sector.
ical use.

etwork:

where demand is not high, there is no effect on the user experience,
G device and subscribe to an unlimited data plan and be in the top 5% of
e allocation of resources that they would if there were no differentiation

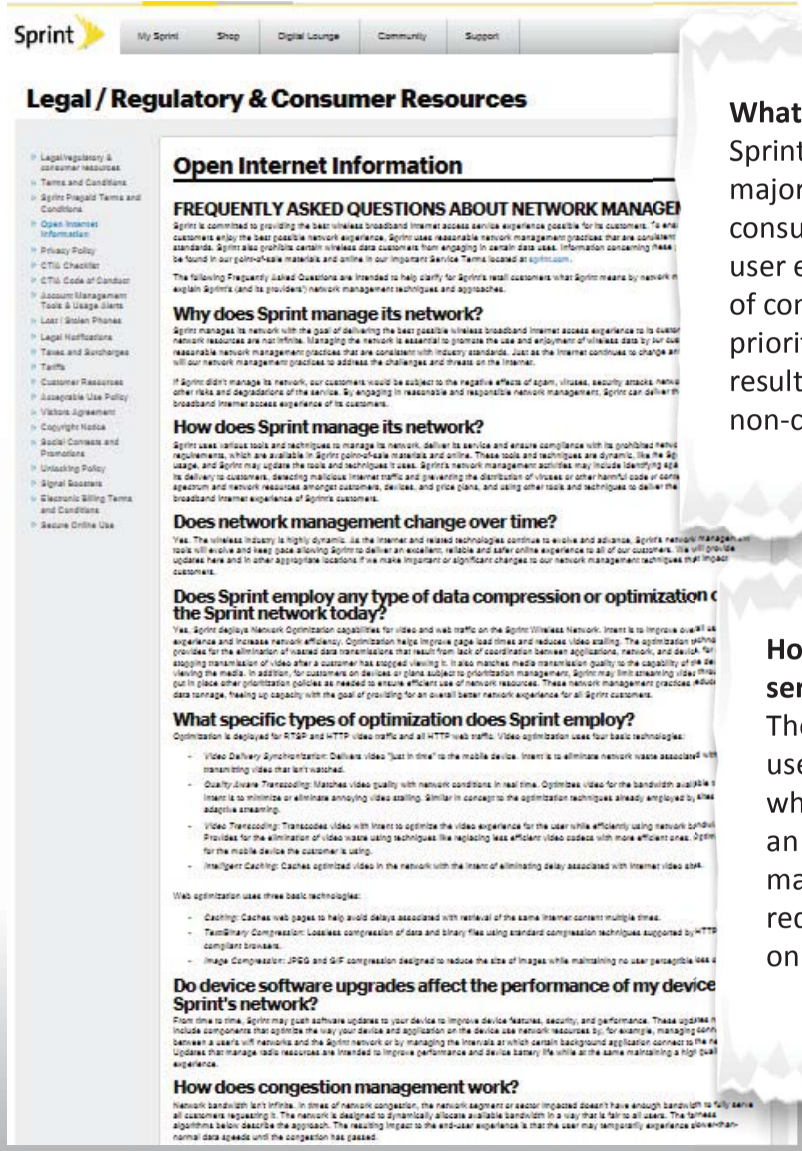
where there is high demand, users from each category are assigned
in category 0 receiving the lowest allocation. The exact proportions are
in category 1 could get half of the resources assigned to users in
get half of the resources of users in category 3).

s forward link timeslots. Because RF conditions determine the actual
d in each timeslot, we cannot state an exact proportionate
the data speeds each user will actually receive. However, if the average of all users operati
congested sector is considered, it is likely that an average user in category 0 will receive lower
than an average user in category 1, roughly proportionate to the ratio defined. In reality, less di
observed on data speeds among user categories.

verizon

verizonwireless.com/support/network-optimization/

Sprint Has a Similar Transparency Rule Disclosure: Specific Speeds Are Not Disclosed



Sprint | My Sprint | Shop | Digital Lounge | Community | Support

Legal / Regulatory & Consumer Resources

Open Internet Information

FREQUENTLY ASKED QUESTIONS ABOUT NETWORK MANAGEI

Why does Sprint manage its network?

How does Sprint manage its network?

Does network management change over time?

Does Sprint employ any type of data compression or optimization c the Sprint network today?

What specific types of optimization does Sprint employ?

Do device software upgrades affect the performance of my device Sprint's network?

How does congestion management work?

What type of prioritization occurs on the Sprint network today?

Sprint currently employs prioritization to improve data experience for the vast majority of users on Sprint's CDMA and LTE networks. The heaviest data users consume a disproportionate share of network resources and cause a negative user experience for the rest. To more fairly allocate network resources in times of congestion, customers falling within the top 5% of data users may be prioritized below other customers attempting to access network resources, resulting in a reduction of throughput or speed as compared to performance on non-congested sites.

How does congestion management impact me and my use data services?

The goal of congestion management is to enable the majority of users to have access to a fair share of the network at peak times, when congestion occasionally occurs. Most customers will notice an improved wireless data experience due to Sprint's congestion management. Customers subject to prioritization may experience reduced throughput or speed compared to their normal experience on non-congested sites.

sprint.com/legal/open_internet_information.html

Sprint

FCC Recent Action Against T-Mobile included No Fine

telecoms.com

LET'S CREATE SMARTER FIBER NETWORKS TOGETHER
See us at FTTH Conference 2015, 10-12 February 2015, Warsaw, Booth G18
TE connectivity

news

FCC slaps T-Mobile US's wrists over speed transparency

Written by Tim Skinner | 25 November 2014 @ 14:00

The Federal Communications Commission (FCC) has announced that T-Mobile US has agreed to be more transparent over speeds its customers experience, particularly when it imposes speed restrictions and reductions.

T-Mobile imposes a speed reduction for users who exceed their monthly data allowance. Typically, speed restrictions of 128 kbps or 64 kbps are imposed for said users. However, concerns were raised by consumer rights group Public Knowledge over a lack of transparency from T-Mobile and its customers using broadband speed measurement services.

Subsequently, the FCC opened up proceedings against T-Mobile to make sure it's customers are always fully informed of the speeds they experience. As part of the agreement, T-Mobile will provide customers with tools, hyperlinks to speed measurement services and informative text messages to guarantee maximum visibility and disclosure of the speeds customers actually experience.

"The FCC is committed to ensuring that broadband providers are transparent to consumers. I'm grateful T-Mobile has worked with the FCC to ensure that its customers are better informed about the speeds they are experiencing," said FCC Chairman Tom Wheeler. "Consumers need this information to fully understand what they are getting with their broadband service."

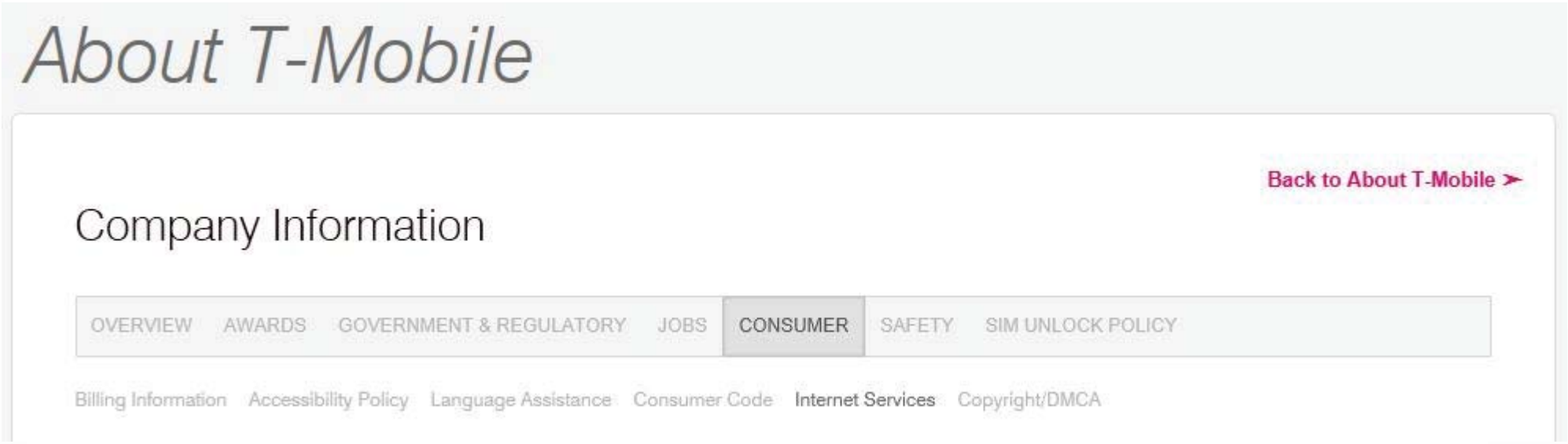
Related Content

Verizon to sell off towers and part of fixed-line business – report

US AWS-3 auction raises record $45 billion

UK consumers largely satisfied with comms services –

T-Mobile Network Management Notice prior to FCC Action



How does T-Mobile manage the flow of data on its network?

To provide a good experience for the majority of our customers and minimize capacity issues and degradation in network performance, we may also take measures including temporarily reducing data throughput for a subset of customers who use a disproportionate amount of bandwidth. Customers who use more data than 97% of what all customers use in a given month, based on recent historical averages, might in some cases have their data usage prioritized below the data of other customers during times and in places of network congestion. (Customers who use data in violation of their Rate Plan terms or T-Mobile's Terms and Conditions may be excluded from this calculation.)

Customers select how much high-speed data they receive. If your total high-speed data usage exceeds your selected high-speed allotment during a billing cycle, we may reduce your data speed to 2G for the remainder of that billing cycle. If you use your Data Plan in a manner that could interfere with other customers' service, affect our ability to allocate network capacity among customers, or degrade service quality for other customers, we may suspend, terminate, or restrict your data session, or switch you to a more appropriate Data Plan, or terminate your service.

http://web.archive.org/web/20140919212604/http:/www.t-mobile.com/Company/CompanyInfo.aspx?tp=Abt_Tab_ConsumerInfo&tsp=Abt_Sub_InternetServices