



Office of Commissioner
Noah Joshua Phillips

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Concurring Statement of Commissioner Noah Joshua Phillips

FTC, et al. v. Frontier Communications Corp., et al.

May 5, 2022

More than 80% of U.S. households spend an average of \$116 per month on cable and internet service.¹ Internet speed is a key consideration for consumers as they choose an Internet service provider (“ISP”) and service plan, so it’s essential that ISPs truthfully represent what speeds they can deliver. Frontier Communications (“Frontier”) provides Digital Subscriber Line (“DSL”) internet to more than one million consumers in 25 states, many of them in rural areas. As alleged in the complaint, Frontier told consumers that it could provide service “up to” certain speeds, but failed to deliver. The complaint details how, in some cases, Frontier could not, as a technical matter, even possibly deliver the speeds it promised. Some consumers paid for more expensive service than they received.

Today’s settlement with Frontier is our first case against an ISP since the Federal Communications Commission adopted its Restoring Internet Freedom Order reestablishing the FTC’s authority to protect consumers from unfair or deceptive practices by broadband providers.² It sends the important message that ISPs must be truthful when advertising their services and that consumers must be able to rely on ISPs’ representations.

The order provides important relief for Frontier customers. Under it, Frontier will be prohibited from making misrepresentations and will have to be able to substantiate speed claims on a customer-by-customer basis. Consumers that were promised speeds that Frontier did not deliver will receive notice and be able to change or cancel plans without any penalty.

Thanks to the talented FTC staff for their tireless work on this important case.

¹ doxoINSIGHTS’ *U.S. Cable and Internet Market Size and Household Spending Reports for 2021*, May 18, 2021, <https://www.doxo.com/insights/united-states-of-bill-pay-doxoinsights-cable-internet-report/>.

² Restoring Internet Freedom, Declaratory Ruling Report and Order, and Order WC Docket No. 17-108, FCC 17-166 (Dec. 14, 2017), <https://www.fcc.gov/document/fcc-releases-restoring-internet-freedom-order>.