

Firefighters say lying pigs at Verizon throttled data, crippling communications during California wildfire

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A Bay Area firefighting agency, assisting with the response to the [massive Mendocino Complex Fire](#), says its communications were crippled by Verizon through a controversial practice known as “throttling.”

The Santa Clara County Central Fire Protection District says a communications vehicle it dispatched to the Mendocino Complex, the [largest wildfire in California’s history](#), was rendered essentially useless after Verizon reduced data speeds to a fraction of what firefighters needed.

Santa Clara’s complaint was lodged in a legal brief filed Monday as part of a major lawsuit aimed at [restoring “net neutrality,”](#) the doctrine that says all internet traffic must be treated equal. The Federal Communications Commission last year repealed net

neutrality, which had been implemented in 2015 by the Obama administration.

The FCC says net neutrality stifles innovation. But 22 state attorneys general, in their court filing Monday, said net neutrality prevents internet service providers from implementing practices such as “throttling,” in which data speeds are dramatically reduced. Left to their own devices, internet providers “will abuse their gatekeeper roles in ways that harm consumers and threaten public safety,” the court filing said.

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The attorneys general cited Santa Clara’s predicament in the Mendocino wildfire as an example. Anthony Bowden, the Santa Clara fire chief, said in the court filing that its communications unit, a specially equipped recreational vehicle known as OES 5262, found its data speeds dramatically reduced when it arrived to help with the Mendocino fire, hampering communications. The issue came to a head at the end of July, as the fire was menacing areas of Mendocino and Lake counties.

“These reduced speeds severely interfered with OES 5262’s ability to function effectively,” Bowden wrote. The vehicle is a “command and control resource” that helps direct traffic during big fires and other emergencies, coordinating with other agencies, he added.

The lawsuit over net neutrality is pending in the U.S. Circuit Court of Appeals in Washington, D.C. Santa Clara’s complaint was first [reported by Arstechnica](#), a tech-news website.

The chief said his agency complained to Verizon, but the telecom provider said the Santa Clara fire district had to switch to a more expensive data plan that would prevent throttling. Santa Clara’s firefighters on the scene used other agencies’ internet connections and their personal phones until the agency eventually subscribed to the better plan, he wrote. It wasn’t clear how long that took.

Verizon, in a statement to The Sacramento Bee, apologized for what happened but said it wasn’t related to the fight over net neutrality.

“This situation has nothing to do with net neutrality or the current proceeding in court,” the carrier said. “We made a mistake in how we communicated with our customer about the terms of its plan. Like all customers, fire departments choose service plans that are best for them. This customer purchased a government contract plan for a high-speed wireless data allotment at a set monthly cost. Under this plan, users get an unlimited amount of data but speeds are reduced when they exceed their allotment until the next billing cycle.

“Regardless of the plan emergency responders choose, we have a practice to remove data speed restrictions when contacted in

emergency situations. We have done that many times, including for emergency personnel responding to these tragic fires. In this situation, we should have lifted the speed restriction when our customer reached out to us. This was a customer support mistake. We are reviewing the situation and will fix any issues going forward.”

The court filing showed that Santa Clara was no stranger to this issue. In a series of emails included in the legal brief, Santa Clara fire officials complained to Verizon in late June, a month before the Mendocino emergency, that their data speeds were being “throttled” by the carrier. At the time, a Verizon representative told the agency that its data plan included “data throttling limitation” and he suggested a switch to a more expensive plan.

Capt. Bill Murphy, a spokesman for the Santa Clara department, said Wednesday the agency did switch prior to the Mendocino fire to a plan that allowed Verizon to “throttle” down data speeds, but not as severely as before. Murphy said firefighters figured the new plan would be sufficient to allow data to flow smoothly — but discovered otherwise when they arrived at the Mendocino fire.

Scott McLean, a spokesman for Cal Fire, said he wasn’t aware of any other firefighting agencies encountering problems similar to Santa Clara’s.

The California Legislature is debating a bill, SB 822, that would require internet companies to reinstate net neutrality in California.

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The Mendocino Complex Fire, which has burned more territory than any fire in California history, has destroyed 406,532 acres and is 74 percent contained. A firefighter from Utah died in the blaze.

Editor's note: A previous version of this story said the FCC is led by an appointee of President Donald Trump. It is led by a Barack Obama appointee.

 Firefighters monitor a backfire while battling the Ranch Fire, part of the Mendocino Complex Fire, on Aug. 7 near Ladoga. Santa Clara's fire

agency, which aided in the response to the Mendocino fire, says its communications equipment was hindered by Verizon's practice of "throttling" down data speeds.

Firefighters monitor a backfire while battling the Ranch Fire, part of the Mendocino Complex Fire, on Aug. 7 near Ladoga. Santa Clara's fire agency, which aided in the response to the Mendocino fire, says its communications equipment was hindered by Verizon's practice of "throttling" down data speeds. **Noah Berger** AP