

Local woman suing AT&T, accuses company of "throttling" data



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A Huntsville woman is suing cell phone provider AT&T, claiming the company sold her an "unlimited" data plan, but then slowed her data speeds after a certain amount of usage.

"It would sort of seem to reason, that unlimited means unrestricted," Attorney, Tony Mastando said.

According to the lawsuit, Shannon Lilienthal bought her iPhone in 2007. When AT&T decided to get rid of their unlimited data plan in 2010, she was grandfathered in and allowed to keep her plan. Mastando tells WAAY 31, shortly after, his client started noticing her data slowing down at the end of each month.

"You should tell people that there are these possibility, and inform them at what point their data could be restricted," Mastando said.

The FCC said in a release that they have received thousands of complaints like this for so-called "data throttling." They found on average customers with the unlimited data plan had their data speed slowed down for 12 days out of the month.

"Each person may individually only be harmed a little bit, or not very much," Mastando said. "If you add all those people affected together that's a pretty big harm."

AT&T released a statement to us saying:

"We have not had a chance to review the specifics of this suit, but assure you the FCC has specifically identified this practice as a legitimate and reasonable way to manage network resources for the benefit of all customers."

AT&T could be fined up to \$100 million by the FCC. Mastando is hoping this class action lawsuit will help others affected in Alabama.