



Telecom Decision CRTC 2008-53

Ottawa, 12 June 2008

Bell Canada – Application for forbearance from the regulation of residential local exchange services

Reference: 8640-B2-200804387

In this Decision, the Commission denies Bell Canada's request for forbearance from the regulation of residential local exchange services in the exchange of Uxbridge, Ontario.

Introduction

1. The Commission received an application by Bell Canada, dated 20 March 2008, in which the company requested forbearance from the regulation of residential local exchange services¹ in the exchange of Uxbridge, Ontario.
2. The Commission received submissions and/or data regarding Bell Canada's application from Compton Cable T.V. Limited (Compton), Rogers Communications Inc. (RCI), and TELUS Communications Company (TCC). The public record of this proceeding, which closed on 14 April 2008, is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings."
3. The Commission has assessed Bell Canada's application based on the local forbearance test set out in Telecom Decision 2006-15, as amended by the Governor in Council's *Order Varying Telecom Decision CRTC 2006-15*, P.C. 2007-532, 4 April 2007 (modified Telecom Decision 2006-15), which included the following criteria:
 - a) Competitor presence test
 - b) Product market
 - c) Competitor quality of service results
 - d) Communications plan

Commission's analysis and determinations

a) Competitor presence test

4. The Commission notes that there are two independent facilities-based providers of mobile wireless services capable of serving at least 75 percent of the number of residential local exchange service lines that Bell Canada is capable of serving in the exchange of Uxbridge.²

¹ In this Decision, "residential local exchange services" refers to local exchange services used by residential customers to access the public switched telephone network and any associated service charges, features, and ancillary services.

² These competitors are RCI and TCC.

5. The Commission also notes, however, that Compton, the only other facilities-based, fixed-line telecommunications service provider present in the exchange of Uxbridge, is not capable of serving 75 percent of the number of residential local exchange service lines that Bell Canada is capable of serving in that exchange.
6. Accordingly, the Commission determines that the exchange of Uxbridge does not meet the competitor presence test.

Conclusion

7. The Commission determines that Bell Canada's application for the exchange of Uxbridge does not meet all the local forbearance criteria set out in modified Telecom Decision 2006-15. Accordingly, the Commission **denies** Bell Canada's application for forbearance from the regulation of residential local exchange services in the exchange of Uxbridge.
8. In light of the above, the Commission notes that it need not address Bell Canada's submissions with respect to the other criteria identified in paragraph 3 of this Decision.

Secretary General

Related document

- *Forbearance from the regulation of retail local exchange services*, Telecom Decision CRTC 2006-15, 6 April 2006, as amended by the Governor in Council's *Order Varying Telecom Decision CRTC 2006-15*, P.C. 2007-532, 4 April 2007

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