



Telecom Decision CRTC 2008-7

Ottawa, 29 January 2008

Bell Canada – Part VII application regarding Vidéotron ltée's practices when disconnecting Bell Canada's network from a residential customer's inside wire

Reference: 8622-B2-200602773 and 8622-C12-200704321

In this Decision, the Commission determines that Vidéotron ltée's proposed disconnection practices when disconnecting Bell Canada's network from a residential customer's inside wire are not unreasonable. Accordingly, the Commission denies Bell Canada's application.

Introduction

1. On 15 March 2006, Bell Canada filed with the Commission an application pursuant to Part VII of the *CRTC Telecommunications Rules of Procedure* requesting that the Commission direct Vidéotron ltée (Vidéotron) to discontinue certain installation practices at the premises of residential customers subscribing to Vidéotron's cable telephony service.
2. In Telecom Decision 2007-105, the Commission determined that it would not be appropriate to establish a national policy requiring the installation of a network interconnection device (NID).¹ The Commission also determined that a NID is not required for technical reasons to provide service to residential customers or for customers to change service providers.
3. The Commission further determined that it would adjudicate the bilateral dispute between Bell Canada and Vidéotron in accordance with the expedited procedure established in Telecom Circular 2004-2. The parties were to propose disconnection practices for Vidéotron that would minimize any incumbent local exchange carrier (ILEC) activity and would not entail removing or altering residential customer inside wire in such a way that it cannot be reasonably used to provide service in the future by another local exchange carrier (LEC).
4. A panel of three Commissioners heard the matter on 18 January 2008.
5. The public record of this proceeding is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings."

Issue

6. The issue to be resolved is whether Vidéotron's proposed disconnection practices when disconnecting Bell Canada's network from the residential customer's inside wire are appropriate or whether changes to Vidéotron's proposed practices are required.

¹ A NID is a device or assembly of devices that establishes the demarcation point where the residential customer inside wire can be isolated from the incumbent local exchange carrier's network by the removal of the RJ-11 connector or any other connector.

Position of parties

Bell Canada

7. Bell Canada submitted that when a NID is already in place, Vidéotron should disconnect the customer's inside wire from Bell Canada's network by unplugging the RJ-11 connector which leads from the customer's inside wire.
8. When there is no NID in place, Bell Canada submitted that the first LEC to conduct a premises visit should install a Switching Voice Module (SVM)² at the location of the main electrical entrance and the electric ground. As an alternative, Bell Canada submitted that the LEC could install a Static NID.³
9. Bell Canada submitted that the SVM or Static NID would allow the customer to migrate service providers with minimal inconvenience and cost, which is not the case presently. Bell Canada submitted that many customers presently face costly and inconvenient inside wire work whenever they want to migrate away from Vidéotron's telephony services.

Vidéotron

10. Vidéotron submitted that when a NID is already in place, its technicians would disconnect the customer's inside wire from Bell Canada's network by unplugging the RJ-11 connector which leads from the customer's inside wire.
11. When no NID is in place, Vidéotron submitted that its technicians would snip the wire leading to the customer's premises as close as possible to the connection inside Bell Canada's protector box. The snipped wires would be insulated with Scotch Locks.

Commission analysis and determination

12. The Commission notes that Bell Canada and Vidéotron agree with the disconnection practice to be followed when a NID is present but are at odds regarding Vidéotron's disconnection practices when there is no NID in place.
13. The Commission notes that there is no evidence on the record of this proceeding that Vidéotron's proposed disconnection practices, which Vidéotron has already adopted, have resulted in customer complaints.
14. The Commission notes that pursuant to the Governor in Council's Policy Direction, it should rely on market forces to the maximum extent feasible and regulation should interfere at a minimum with the operation of competitive market forces. Accordingly, the Commission does not consider that regulatory intervention is required.

² A phone call using two complete ringing cycles activates the SVM microprocessor to activate the connection between the company's network and the customer's inside wire.

³ A static NID features two jacks, each of which provides a connection to either the network of the telephone company or of the cable company. Migration from one network to the other simply requires plugging the RJ-11 connector into the appropriate jack.

15. The Commission notes that Bell Canada, similar to Vidéotron, may require a truck roll to connect the customer's inside wire to its network should the customer decide to migrate back. However, the Commission does not consider that the requirement for a truck roll imposes an unreasonable burden on Bell Canada.
16. The Commission further notes that Vidéotron's proposed practices when there is no NID in place do not entail removing or altering residential customer inside wire in such a way that it cannot be reasonably used to provide service in the future by another LEC.
17. In light of the above, the Commission concludes that Vidéotron's proposed disconnection practices are not unreasonable under the circumstances and therefore the Commission's intervention is not warranted. Accordingly, the Commission **denies** Bell Canada's application.
18. The Commission acknowledges that, in practice, errors may occur during customer migrations. The Commission encourages the parties to be diligent in putting in place procedures, including training, to minimize such errors.
19. The Commission encourages the parties to work together especially for new housing development in arriving at future solutions, such as SVMs, that would be beneficial to all parties as well as the customers.
20. The Commission notes that this Decision is consistent with the Governor in Council's Policy Direction in that it relies on market forces to the maximum extent feasible to achieve the telecommunications policy objectives set out in section 7 of the *Telecommunications Act*.

Secretary General

Related documents

- *Network interconnection device at residential customer premises*, Telecom Decision CRTC 2007-105, 9 November 2007
- *Order Issuing a Direction to the CRTC on Implementing the Canadian Telecommunications Policy Objectives*, P.C. 2006-1534, 14 December 2006
- *Expedited procedure for resolving competitive issues*, Telecom Circular CRTC 2004-2, 10 February 2004

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